

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 20, No. 17    April 26, 2001    Pages 559-606

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## State of Kansas

## Governor's Advisory Board on Agriculture

## Notice of Meeting

The Governor's Advisory Board on Agriculture will meet at 10 a.m. Tuesday, May 22, at the Kansas Highway Patrol Academy in Salina. A meeting agenda will be available prior to May 22 by contacting Randi Stahl at (785) 296-3902. This meeting is open to the public and will include time for public comment. If special accommodations are needed, individuals should contact the Department of Agriculture at least three business days prior to the meeting at (785) 296-3902.

Jamie Clover Adams  
Secretary of Agriculture

Doc. No. 026502

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 10, in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

**Project No. 000490—Maximum Principal Amount: \$170,000.** Owner/Operator: Michael D. and Melanie D. Bartlow. Description: Acquisition of 37.36 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Northeast Quarter of Section 24, Township 14 South, Range 19 East of the 6th P.M., approximately 7 miles south of Lawrence, Kansas, on Highway 59, 1.5 miles east on County Road 460.

The bond, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will it be an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

Any individual affected by the above-described project may, at or prior to the hearing, file a written request with the Authority that a local hearing be held on the proposal to issue a bond to finance said project. A local hearing, if requested, would be conducted in the county where the project in question is located.

Jack H. Brier  
President

Doc. No. 026488

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 10, in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

**Project No. 491—Maximum Principal Amount: \$72,000.** Owner/Operator: Thomas W. and Jacque L. McMillan. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Northwest Quarter of Section 18, Township 24, Range 12, Stafford County, Kansas, approximately 5 miles west of Stafford and .5 mile north on Highway 50.

The bond, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will it be an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

Any individual affected by the above-described project may, at or prior to the hearing, file a written request with the Authority that a local hearing be held on the proposal to issue a bond to finance said project. A local hearing, if requested, would be conducted in the county where the project in question is located.

Jack H. Brier  
President

Doc. No. 026490

## State of Kansas

## Board of Adult Care Home Administrators

## Notice of Meeting

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, May 18, in Classrooms B-C of the Wheatland Habilitation Center, Kansas Neurological Institute, 21st and Oakley, Topeka.

Lesla Roberts, Director  
Health Occupations Credentialing

Doc. No. 026485

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 10, in the conference room in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, for the Kansas Development Finance Authority to issue approximately \$70,000,000 principal amount of Health Facilities Revenue Bonds for Stormont-Vail HealthCare, Inc., a Kansas non-profit corporation (SVHC). The bonds will be issued pursuant to K.S.A. 74-8901 *et seq.* to finance and refinance (which includes the refunding of bonds previously issued by the Authority) the costs of certain health, health support and administrative facilities owned, leased and operated by SVHC or any of its affiliates at the following locations:

1. Stormont-Vail HealthCare Campus,  
1500 S.W. 10th, Topeka
2. Harrison Building, 929 Mulvane, Topeka
3. Cotton Building, 901 Garfield, Topeka
4. O'Neil Building, 823 Mulvane, Topeka

The bonds, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds will be payable solely from amounts received or pledged by SVHC, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

A copy of the Resolution of Intent passed by the Authority is on file in the office of the secretary and is available for public inspection during normal business hours.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project described above may be obtained by contacting the Authority.

Jack H. Brier  
President

Doc. No. 026503

## State of Kansas

## Board of Technical Professions

## Notice of Meetings

The Kansas State Board of Technical Professions will conduct a complaint committee meeting at 9 a.m. Thursday, May 3, at 5605 S.W. Barrington Court South, Suite 201, Topeka. The board will hold its regular board meeting Friday, May 4, at the Lawrence Country Club, 400 Country Club Terrace, Lawrence. The Professional Engineer and Land Surveyor Committee will meet at 9 a.m., and the Architect, Landscape Architect and Geology Committee also will meet at 9 a.m. The full board will meet at approximately 11 a.m., at the conclusion of the committee meetings. All meetings are open to the public.

Betty L. Rose  
Executive Director

Doc. No. 026487

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding issuance of a revised authorization to operate under the general Class I air quality operating permit for natural gas compressor stations. The authorization to operate under the general Class I operating permit has been issued in accordance with the provisions of K.A.R. 28-19-400 *et seq.*

A copy of the permit application, authorization and all supporting documentation is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka. Information also is available at the KDHE district office indicated for each facility. To obtain or review the permit, authorization and supporting documentation, contact Connie Carreno, (785) 296-6422, at the KDHE central office, or the indicated district representative. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding an authorization to Connie Carreno, Bureau of Air and Radiation, KDHE, Building 283, Forbes Field, Topeka, 66620.

A list of all major sources within the state authorized to operate under the terms of the general Class I operating permit will be maintained at the Topeka KDHE offices.

Revised authorization issued during the  
week of April 16, 2001:

Company:	Pioneer Natural Resources
Compressor Station:	Ulysses Compressor Station
Source ID No.:	0670010
Location:	S10, T30S, R37W, Grant County
KDHE District Rep.:	David Butler
Rep. Location:	South Central District Office, Wichita

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026498

## State of Kansas

**Kansas Military Board****Notice of Meeting**

The Kansas Military Board of the Adjutant General's Department will meet at 10 a.m. Wednesday, May 9, at the State Defense Building, Conference Room 102, 2800 S.W. Topeka Blvd., Topeka. An agenda may be obtained by contacting Charles G. Bredahl, State Defense Building, Room 100, 2800 S.W. Topeka Blvd., Topeka, 66611-1287, (785) 274-1004.

Any individual with a disability may request accommodation in order to participate in the meeting. Requests for accommodation should be made at least two working days in advance of the meeting date by contacting Charles Bredahl.

Charles G. Bredahl  
Special Assistant to  
the Adjutant General

Doc. No. 026484

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Sterling Municipal Power Plant has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install three new dual fuel engines to produce electricity. Emissions of oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), particulate matter (PM), particulate matter less than or equal to 10 micrometers in diameter (PM<sub>10</sub>), volatile organic compounds (VOCs) and oxides of sulfur (SO<sub>x</sub>) were evaluated during the permit review process.

Sterling Municipal Power Plant owns and operates the stationary source located at 333 N. Broadway Ave., Sterling, at which the new dual fuel engines are to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Alan W. Brooks, (785) 296-6281, at the KDHE central office, or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan W. Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 28.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 28 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026491

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Caterpillar Work Tools, Inc. has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of volatile organic compounds and hazardous air pollutants were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Caterpillar Work Tools, Inc., Peoria, Illinois, owns and operates a machinery and equipment manufacturing facility located at 600 Balderson Blvd., Wamego, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact David A. Peter, (785) 296-1615, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to David A. Peter, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 28.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 28 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026486

## State of Kansas

Department of Health  
and Environment

## Notice of Hearing

The Kansas Department of Health and Environment, Division of Environment, Bureau of Air and Radiation, will conduct a public hearing at 10 a.m. Thursday, May 31, at the Johnson County Northeast Offices, 6000 Lamar, Rooms A, B and C, Mission, to consider, under the provisions of K.S.A. 65-3013, the approval of a one-year extension from K.A.R. 28-19-729 (Standards for Hospital/Medical/Infectious Waste Incinerators) for Shawnee Mission Medical Center, 9100 W. 74th St., Shawnee Mission, and Stericycle, Inc., 3150 N. 7th, Kansas City, Kansas. K.A.R. 28-19-729c provides facilities a one-year extension of the compliance date upon petitioning KDHE and providing justification for the extension. K.A.R. 28-19-729 has been approved by the U.S. Environmental Protection Agency and is part of the Kansas State Implementation Plan.

Shawnee Mission Medical Center and Stericycle, Inc. have submitted petitions to KDHE requesting an extension of the compliance date from September 15, 2001 to September 15, 2002. In the petitions, the facilities have provided compliance plans that contain proposed dates of when certain activities will be completed and final compliance with the regulations will be achieved. The facilities are proposing to upgrade their existing air pollution control devices and installing additional air pollution control devices on their medical waste incinerators to achieve final compliance with the federal and state air regulations. To grant this one-year extension, as provided for in the regulation, KDHE proposes to grant a variance from K.A.R. 28-19-729 to allow the existing incinerators to operate in its existing configuration until September 15, 2002. The variance will be granted on grounds that it is justified to relieve or prevent hardship to both the facilities and the public.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed variance. All interested parties may submit written comments prior to the hearing to Gary Miller, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. All interested parties will be given a reasonable opportunity to present their views orally on the proposed variance during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the petitions and brief summary sheets may be obtained from the Kansas Department of Health and Environment, Bureau of Air and Radiation, (785) 296-1550. To review information regarding Shawnee Mission Medical Center, contact Mike Boothe, Johnson County Environmental Department, (913) 492-0402, and to review information regarding Stericycle, Inc., contact Rollin Sachs at the Department of Air Quality, Wyandotte County Health Department, (913) 573-6700. Questions pertaining to this variance hearing should be directed to Gary Miller, (785) 296-1547.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the information in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Donna Reno, (785) 296-1550.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026499

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment has received a permit application for the Kansas Army Ammunition Plant (KAAP) to operate a solid waste incinerator facility to be located at 23018 Rooks Road, Parsons, in the Southwest ¼, Northwest ¼, Section 5, Township 32S, Range 21E, Labette County. KDHE is providing public notice of its intent to issue a solid waste incinerator facility permit to KAAP. KAAP recently made submittals that are under review to ascertain compliance with state regulations for solid waste processing facilities. KDHE will draft a permit to reflect these submittals.

A copy of the administrative record, which includes the permit application and all information regarding this permit action, is available for review until May 29 during normal business hours, Monday through Friday, at the following locations:

**Kansas Department of Health and Environment**

Permits Section  
Bureau of Waste Management  
Forbes Field, Building 740  
Topeka, 66620  
Contact: Joseph E. Cronin  
(785) 296-1667

**Parsons Public Library**

311 S. 17th St.  
Parsons, 67357  
Contact: Dayna Williams-Capone  
(316) 421-5920

Anyone wishing to comment on the permit application and attached information should submit written statements postmarked not later than May 29 to Joseph E. Cronin (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final determination on whether to issue the permit. Notice of the decision will be given to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026506

State of Kansas

**Pooled Money Investment Board**

**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2000 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 4-23-01 through 4-29-01	
Term	Rate
1-89 days	4.63%
3 months	3.71%
6 months	3.88%
1 year	3.97%
18 months	4.12%
2 years	4.25%

Derl S. Treff  
Director of Investments

Doc. No. 026483

State of Kansas

**Department of Health and Environment**

**Request for Comments**

The Kansas Department of Health and Environment has prepared a draft National Pollutant Discharge Elimination System permit for the City of Hutchinson to discharge treated domestic wastewater into the Arkansas River.

The proposed permit is based upon an average discharge flow of 8.30 MGD into the Arkansas River. The wastewater treatment facility is a mechanical treatment plant consisting of aerated grit removal, primary clarification, trickling filters, CMAS basins, final clarification and UV disinfection of effluent. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. Sludge is thickened and stored in anaerobic sludge digesters prior to land application. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for nutrients, chlorides, sulfate, dissolved oxygen and effluent flow also will be required. The chronic whole effluent toxicity and heavy metals testing will be required annually. A priority pollutant scan will be required to be performed at least once during the life of the permit.

Copies of the city's application, draft permit, fact sheets and other pertinent documents may be requested by contacting the Kansas Department of Health and Environment, TSS - Permit Clerk, Bureau of Water, Forbes Field, Building 283, Topeka, 66620. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the draft permit must submit written statements to the address above by May 26.

Clyde D. Graeber  
Secretary of Health and Environment

Doc. No. 026507

State of Kansas

**Department of Health and Environment**

**Notice Concerning Kansas Water Pollution Control Permits**

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

**Public Notice No. KS-AG-01-108/113**  
**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Leslie Bruna 2929 16th Road Hanover, KS 66945	SW/4 of Section 11, T3S, R5E, Washington County	Little Blue River Basin

Kansas Permit No. A-BBWS-S005

This is a renewal permit for an existing facility for 400 head (160 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: A manure/waste management plan for the facility shall be developed. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. Dewatering equipment shall be obtained within three months after issuance of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Owen Unruh 704 Ada Scott City, KS 67871	SE/4 of Section 18, T16S, R33W, Scott County	Smokey Hill River Basin

Kansas Permit No. A-SHSC-C006

Federal Permit No. KS-0086410

This is a renewal permit for an existing facility for 2,000 head (2,000 animal units) of beef cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: A manure/waste management plan for the facility shall be developed. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit.

(continued)



<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Seaboard Farms, Inc. Light Nursery Complex 101, 102, 103, 104, 105 & 107 P.O. Box 1207 Guymon, OK 73942	Section: 11, 14, 15, T32S, R40W, Morton County	Cimarron River Basin

Kansas Permit No. A-CIMT-H006  
Federal Permit No. KS-0096300

This is a renewal permit for an existing facility for 72,000 head (7,200 animal units) of swine.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** A manure/waste management plan for the facility shall be developed. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Rock Hog Farm c/o Bruce Feldhausen 2166 Ridge Road Frankfort, KS 66427	SE/4 of Section 33, T3S, R9E, Marshall County	Big Blue River Basin

Kansas Permit No. A-BBMS-S038

This is a renewal of a current permit for an existing facility for 714 head (285.6 animal units) of swine greater than 55 pounds and 540 head (54 animal units) of swine 55 pounds or less, for a total of 339.6 animal units.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** A manure/waste management plan for the facility shall be developed. A plan shall be submitted to the department within six months following permit issuance. The approved plan will become part of this permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Richard Herman Farms Inc. Route 1, Box 84 Hill City, KS 67642	NE/4 of Section 21, T10S, R22W, Graham County	Saline River Basin

Kansas Permit No. A-SAGH-B007

This is a new permit for a new facility for 990 head (990 animal units) of beef cattle weighing greater than 700 pounds.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. Permeability tests shall be conducted on the earthen wastewater retention structures. Dewatering equipment shall be obtained within six months after issuance of this permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Western Feed Yard Inc. 548 S. Road I Johnson, KS 66541	SE/4 of Section 33, T28S, NE/4 of Section 4, T29S, R40/W, Stanton County	Cimarron River Basin

Kansas Permit No. A-CIST-C001  
Federal Permit No. KS-0038415

This is a renewal permit for an expanding facility for 42,430 head (42,430 animal units) of beef cattle.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Waste-

water storage capacity is provided that meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** A manure/waste management plan for the facility shall be developed. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. Permeability tests shall be conducted on the earthen wastewater retention structure(s). Dewatering equipment shall be obtained within six months after issuance of this permit.

**Public Notice No. KS-01-048/052**

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Holyrood, City of P.O. Box 67 Holyrood, KS 67450	Plum Creek Lower Arkansas River	Treated Domestic Wastewater

Kansas Permit No. M-AR46-0001 Federal Permit No. KS0024601  
Legal: NW¼, S11, T17S, R10W, Ellsworth County

**Facility Description:** The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring for ammonia also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Hutchinson, City of P.O. Box 1567 Hutchinson, KS 67504	Arkansas River	Treated Domestic Wastewater

Kansas Permit No. M-AR49-IO01 Federal Permit No. KS0036188  
Legal: NW¼, S33, T23S, R5W, Reno County

**Facility Description:** The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, chlorides, sulfates, dissolved oxygen and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test and a priority pollutant scan. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Lancaster, City of City Hall, P.O. Box 146 Lancaster, KS 66041	Kansas River via Stranger Creek	Treated Domestic Wastewater

Kansas Permit No. M-KS29-0001 Federal Permit No. KS0024864  
Legal: SE¼, S32, T5S, R19E, Atchison County

**Facility Description:** The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring for ammonia also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality-based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Neodesha, City of 1407 N. 8th St. P.O. Box 336 Neodesha, KS 66757	Verdigris River	Treated Domestic Wastewater

Kansas Permit No. M-VE29-0001 Federal Permit No. KS0025658



Legal: NW¼, S28 & NE¼, S29, T30S, R16E, Wilson County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia and fecal coliform also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Wellsville, City of 411 Main Street P.O. Box 455 Wellsville, KS 66092	Walnut Creek	Treated Domestic Wastewater
Kansas Permit No. M-MC48-0002		Federal Permit No. K0024651

Legal: SW¼, S28, T15S, R21E, Franklin County

Facility Description: The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, total residual chlorine and pH. Monitoring for dissolved oxygen also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality-based.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Dena Endsley for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620.

All comments regarding the draft permit or application notice postmarked or received on or before May 26 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-108/113, KS-01-048/052) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th,  
Hays, 67601-2651, (785) 625-5664

North Central District Office, 2501 Market Place, Salina,  
67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th, Lawrence,  
66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road, Dodge City,  
67801-6098, (316) 225-0596

South Central District Office, 130 S. Market, 6th Floor,  
Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute,  
66720, (316) 431-2390

Plans and documents for all new facilities and for expansions of existing swine facilities also may be reviewed on the Internet at [www.kdhe.state.ks.us](http://www.kdhe.state.ks.us).

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026508

**State of Kansas  
Department of Transportation**

**Notice to Contractors**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. May 16, and then publicly opened:

**District One - Northeast**

**Brown**—7 C-3596-01 - County road 1.5 miles (2.4 kilometers) north of Reserve, 0.15 mile (0.25 kilometer), grading, bridge and surfacing. (Federal Funds)

**Brown**—7 C-3597-01 - County road 0.4 mile (0.7 kilometer) east of Reserve, 0.16 mile (0.25 kilometer), grading, bridge and surfacing. (Federal Funds)

**Doniphan**—120-22 K-6366-01 - K-120, Wolf River drainage bridge 21, 2.2 miles (3.6 kilometers) north of K-20, bridge replacement. (Federal Funds)

**Douglas**—59-23 K-7941-01 - Irving Hill Road bridge over U.S. 59, bridge painting. (State Funds)

**Jackson**—16-43 K-6381-01 - K-16, Soldier Creek bridge, 0.6 mile (1 kilometer) east of the junction of K-62, bridge replacement. (Federal Funds)

**Jefferson**—44 C-3620-01 - County road 1.5 miles (2.4 kilometers) south and 1.2 miles (1.9 kilometers) west of Nortonville, 0.09 mile (0.16 kilometer), grading, bridge and surfacing. (Federal Funds)

**Johnson**—46 N-0146-01 - Wilder Road (47th Street) over Hayes Creek in the City of Shawnee, 0.1 mile (0.2

(continued)

kilometer), grading, bridge and surfacing. (Federal Funds)

**Leavenworth**—52 U-1690-01 - Gillman Road from U.S. 73/K-7 east 0.5 mile (0.8 kilometer) in Lansing, grading, bridge and surfacing. (Federal Funds)

**Lyon**—56-56 K-1088-01 - U.S. 56 Bluff Creek, Hill Creek and 142 Mile Creek, bridge replacement. (Federal Funds)

**Osage**—75-70 K-7946-01 - U.S. 75 bridges over U.S. 56, bridge painting. (State Funds)

**Shawnee**—89 K-7948-01 - U.S. 75 bridges over the Wakarusa River, bridge painting. (State Funds)

**Wabaunsee**—99-99 K-7950-01 - K-99 bridge over the Dragoon Creek, 3.7 miles (6 kilometers) north of the junction of K-31, bridge painting. (State Funds)

#### District Two - Northcentral

**Chase**—177-9 K-6761-01 - K-177 from Washington Street north 0.5 mile (0.8 kilometer) in Strong City, grading and surfacing. (State Funds)

**Clay**—15-14 K-6781-01 - K-15, Otter Creek bridge 4 miles (6.5 kilometers) north of K-82, bridge replacement. (Federal Funds)

**Clay-Cloud**—106 K-8399-01 - U.S. 24 from the Cloud-Clay county line east to the west city limits of Clay Center; K-189 from Miltonvale north to U.S. 24; U.S. 24 from the junction of K-189 east to the Cloud-Clay county line, 17.1 miles (27.5 kilometers), crack repair. (State Funds)

**Cloud**—9-15 K-8322-01 - K-9 from the east city limits of Concordia to the south city limits of Clyde and from the east city limits of Clyde to the Cloud-Washington county line, 13.5 miles (21.7 kilometers), crack repair. (State Funds)

**Dickinson**—15-21 K-8398-01 - K-15 from the Marion-Dickinson county line north to the west junction of K-18, 6.7 miles (10.8 kilometers), crack repair. (State Funds)

**Jewell**—45 C-3425-01 - County road 3.5 miles (5.6 kilometers) south and 5.2 miles (8.4 kilometers) east of Ionia, then east 2.8 miles (4.5 kilometers), grading. (Federal Funds)

**Marion**—57 C-3097-01 - County road 1.3 miles (2.1 kilometers) east and 3 miles (4.8 kilometers) south of Hillsboro, 0.09 mile (0.16 kilometer), grading and bridge. (Federal Funds)

**Washington**—9-101 K-8410-01 - K-9 from the Cloud-Washington county line east and south to the north city limits of Clifton, 5.2 miles (8.4 kilometers), crack repair. (State Funds)

#### District Three - Northwest

**Norton**—283-69 K-5752-01 - U.S. 283 from the junction of U.S. 36 in Norton north to the Kansas-Nebraska state line, 11.3 miles (18.2 kilometers), grading, bridge and surfacing. (Federal Funds)

**Norton**—36-69 K-7188-01 - Intersections of U.S. 36 and U.S. 283 in Norton, 0.2 mile (0.32 kilometer), grading and surfacing. (State Funds)

**Sheridan**—90 C-3731-01 - County road 13.5 miles (21.7 kilometers) north and 6.3 miles (10.1 kilometers) east of Hoxie, 0.09 mile (0.16 kilometer), grading and bridge. (Federal Funds)

**Thomas**—25-97 U-1855-01 - K-25 and Davis/Zelpher Road in Colby, 0.2 mile (0.3 kilometer), intersection improvement. (Federal Funds)

#### District Four - Southeast

**Allen**—54-1 K-8393-01 - U.S. 54 from the east city limits of Iola east 5.1 miles (8.3 kilometers), crack repair. (State Funds)

**Miami**—68-61 K-6001-01 - K-68 and Old Kansas City Road then north 0.3 mile (0.5 kilometer), intersection improvement. (Federal Funds)

**Montgomery**—166-63 K-6698-01 - Intersection of U.S. 166 and U.S. 169 in Coffeyville, 0.09 mile (0.15 kilometer), grading and surfacing. (State Funds)

**Woodson**—104 C-3646-01 - County road 10 miles (16.1 kilometers) west and 2.5 miles (4 kilometers) south of Yates Center, 0.18 mile (0.3 kilometer), grading and bridge. (Federal Funds)

#### District Five - Southcentral

**Harvey**—40 C-3528-01 - County road 5.2 miles (8.4 kilometers) south of Newton, 0.06 mile (0.1 kilometer), grading, bridge and surfacing. (Federal Funds)

**Harvey**—40 U-1751-01 - Ridge Road bridge over Sand Creek in the city of Sedgwick, grading and bridge. (Federal Funds)

**Reno**—78 U-1853-01 - 11th and Monroe and 11th and Main in Hutchinson, intersection improvement. (Federal Funds)

#### District Six - Southwest

**District**—106 K-5929-01 - Various locations in District 6, 355.9 miles (572.7 kilometers), signing. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

E. Dean Carlson  
Secretary of Transportation

Dpc. No. 026489

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&As, Information Guides and Notices published by the Department of Revenue for March 2001. Copies can be obtained by accessing the Policy Information Library located on the Internet at [www.ink.org/public/kdor](http://www.ink.org/public/kdor) or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

- P-2001-014 Sale of firewood.
- P-2001-015 Postage meter reset fees.
- P-2001-016 Taxability of overhead and profit.
- P-2001-017 Labor service charges to repair and overhaul aircraft wheels and components.
- P-2001-018 Rail spur from main track; relation to exemption for manufacturing machinery and equipment.
- P-2001-019 Prescription drug samples.
- P-2001-020 Brokering of pre-owned boats.
- P-2001-021 Taxability of labor services and materials.
- P-2001-022 Gross receipts from the service of providing ergonomic assessment and training.
- P-2001-024 Educational institution purchases.

- P-2001-026 Contractor materials and supplies.
- P-2001-027 Temporary storage.

Opinion Letters

No new publications

Final Written Determination

- WFD-P-2001-1 Business and job development credits.
- WFD-P-2001-2 Bad debt adjustment for federal income tax purposes.

Revenue Rulings

No new publications

Notices

No new publications

Memorandums

No new publications

Property Valuation Division Directives

No new publications

Q&As

No new publications

Information Guides

No new publications

Stephen Richards  
Secretary of Revenue

Doc. No. 026500

State of Kansas

Office of Judicial Administration  
Supreme Court Docket

(Note: Dates and times of arguments are subject to change.)

Tuesday, May 29, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
83,085	Matthew Fowler, Appellant, v. Criticare Home Health Services, Appellee.	Sally A. Howard	Douglas Petition for Review
82,662	Larry L. Rebarchek, Appellant, v. Farmers Cooperative Elevator, et al., Appellees.	Michael E. Riling John L. Carmichael	Lane Petition for Review
84,615	State of Kansas, Appellee, v. Will A. Wimbley, Appellant.	Ward E. Loyd	Sedgwick
83,254 83,377	State of Kansas, Appellee, v. Christopher R. Hymer, Appellant.	Carla J. Stovall, Atty. Gen. Debra S. Peterson, Asst. District Atty. Autum L. Fox	Sedgwick Petition for Review
		Daniel C. Estes, Asst. Appellate Defender	

1:30 p.m.

83,611	State of Kansas, Appellee, v. Johnnie McKay, Jr., Appellant.	Carla J. Stovall, Atty. Gen. Debra S. Peterson, Asst. District Atty.	Sedgwick Petition for Review
85,002	State of Kansas, Appellant, v. Encarnacion E. Agosto, Appellee.	Jessica R. Kunen, Chief Appellate Defender Carla J. Stovall, Atty. Gen. Debra S. Peterson, Asst. District Atty. Philip L. Weiser	Sedgwick

(continued)

84,360	State of Kansas, Appellee, v. Melvin W. Holmes, Appellant.	Carla J. Stovall, Atty. Gen. Debra S. Peterson, Asst. District Atty. Craig H. Durham, Asst. Appellate Defender	Sedgwick
86,127	Fred W. McCraw, Appellee, v. City of Merriam, Kansas, Appellant.	Stephen B. Horner  John D. Tongier	Johnson

## Wednesday, May 30, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,404	In the Matter of the Appeal of Farm Credit Services of Central Kansas, et al., from an order of the Div. of Taxation on Denial of Refund of Corporate Income Tax.	John Michael Hale  Eric S. Namee	Tax Appeal

84,460	State of Kansas, Appellee, v. Raymond E. Walker, Appellant.	Carla J. Stovall, Atty. Gen. Boyd K. Isherwood, Asst. District Atty. Cory D. Riddle, Asst. Appellate Defender	Sedgwick
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85,096	State of Kansas, Appellee, v. Anthony L. Davis, Appellant.	Caral J. Stovall, Atty. Gen. Richard A. Olmstead, Asst. District Atty. Steven R. Zinn, Deputy Appellate Defender	Sedgwick
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84,823	State of Kansas, Appellee,  v. Reginald L. Morrison, Appellant.	Carla J. Stovall, Atty. Gen. Richard A. Olmstead, Asst. District Atty.  Peter T. Maharry, Asst. Appellate Defender	Sedgwick  Petition for Review
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1:30 p.m.

85,439	State of Kansas, Appellee, v. Steven P. Mueller, Appellant.	Carla J. Stovall, Atty. Gen. Robert D. Hecht, District Atty. Cory D. Riddle, Asst. Appellate Defender	Shawnee
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82,471	State of Kansas, Appellee, v. Robert L. Verge, Appellant.	Carla J. Stovall, Atty. Gen. John K. Bork, Asst. Atty. Gen. Richard Ney Bradley P. Sylvester	Dickinson
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83,165	State of Kansas, Appellee, v. Virgil S. Bradford, Appellant.	Carla J. Stovall, Atty. Gen. John K. Bork, Asst. Atty. Gen. Janine A. Cox, Asst. Appellant Defender	Dickinson
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## Thursday, May 31, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
83,287	In the Matter of the Appeals of ANR Pipeline Company from an order of the Director of Property Taxation.	Richard D. Greene  William E. Waters	Tax Appeal
84,653	E. Dean Carlson, Secretary of Transportation, State of Kansas, Appellee, v. Michael Burkhart and Kent Stehlik, Appellants.	Bradley A. Stout  Phillip S. Mellor	Ford

85,098	State of Kansas, Appellee, v. Ronald Graham, Appellant.	Carla J. Stovall, Atty. Gen Chris E. Biggs, County Atty. Randall L. Hodgkinson, Asst. Appellate Defender	Geary
85,701	Antoinette M. Willenberg, Appellee, v. Michael H. Willenberg, Appellant.	Brock R. McPherson Richard A. Boeckman	Barton
1:30 p.m.			
86,280	State, <i>ex rel.</i> , David R. Brant, Appellee, v. Bank of America, Appellant.	James W. Clark Scott A. Wissel	Shawnee
85,063	Ashley Irvin, Appellant, v. Lindall Smith, M.D., and Richard Gilmartin, M.D., Appellees.	Ted F. Fay, Jr. Steven C. Day Timothy B. Mustaine	Sedgwick
84,429	State of Kansas, Appellee, v. Michael L. Kraus, Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. William F. Dunn	Wyandotte
83,147	State of Kansas, Appellee, v. Jimmy Dean Hill, Jr., Appellant.	Carla J. Stovall, Atty. Gen. Eric W. Godderz, County Atty. Janine A. Cox, Asst. Appellate Defender	Osage Petition for Review

Friday, June 1, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,865	Vona R. Pruter, Appellee, v. Larned State Hospital, et al., Appellants.	Robert R. Lee Richard L. Friedeman	Work Comp Petition for Review
86,384	In the Matter of John Lloyd Swarts III, Respondent.	Alexander M. Walczak, Deputy Discip. Admin. Zackery E. Reynolds John Lloyd Swarts III, Pro Se	Original
86,609	In the Matter of Megan J. Cramer, Respondent.	Stanton A. Hazlett, Discip. Admin. Megan J. Cramer, Pro Se	Original
86,610	In the Matter of James A. Cleland, Respondent.	Stanton A. Hazlett, Discip. Admin. James A. Cleland, Pro Se	Original

Summary Calendar—No Oral Argument  
Pursuant to Supreme Court Rule 7.01(c)

85,382 State v. Sherman Galloway

Summary Disposition of Sentencing Appeals—No Oral Argument  
Pursuant to Supreme Court Rule 7.041(a)

85,554	Jerry L. Hunt II v. State	85,778	State v. Charles O. McIntosh II	85,967/	
85,573	State v. Jermaine Smith	85,799	State v. Thomas P. Finch	85,968	State v. Donovan Z. Owston
85,625	State v. Johnny Shelley	85,831	State v. James Anthony Lewis	85,999	State v. David Joyce
85,655	State v. Gerald V. Beasley	85,867	State v. Kevin T. Porter	86,396	State v. Charles E. McElhaney
85,662	State v. John J. Nelson	85,965	State v. Allen P. Harroald	86,456	State v. Kirby Lawrie
85,776	State v. Donald Carr				

Carol G. Green  
Clerk of the Appellate Courts

## State of Kansas

## Behavioral Sciences Regulatory Board

Permanent Administrative  
Regulations

## Article 1.—CERTIFICATION OF PSYCHOLOGISTS

**102-1-19.** Services rendered to individuals located in this state. Except as authorized by K.S.A. 74-5316, K.S.A. 74-5344, and K.S.A. 74-5345, and amendments thereto, each person, regardless of the person's location, who engages in either of the following activities shall be deemed to be engaged in the practice of psychology in this state and shall be required to have a license, issued by the board, to practice psychology as a licensed psychologist:

(a) performs any act included in subsection (a) of K.S.A. 74-5302, and amendments thereto, on or for one or more individuals located in this state; or

(b) represents oneself to be a psychologist available to perform any act included in subsection (a) of K.S.A. 74-5302, and amendments thereto, on or for one or more individuals located in this state. (Authorized by K.S.A. 1999 Supp. 74-7507; implementing K.S.A. 74-5340; effective May 11, 2001.)

Article 2.—LICENSING OF  
SOCIAL WORKERS

**102-2-15.** Services rendered to individuals located in this state. Except as authorized by K.S.A. 65-6303, and amendments thereto, each person, regardless of the person's location, who engages in either of the following activities shall be deemed to be engaged in social work practice in this state and shall be required to have a license, issued by the board, to practice social work as a LBSW, a LMSW, or a LCSW, as appropriate:

(a) performs any act included in subsection (b) of K.S.A. 65-6302, and amendments thereto, on or for one or more individuals located in this state; or

(b) represents oneself to be a social worker available to perform any act included in subsection (b) of K.S.A. 65-6302, and amendments thereto, on or for one or more individuals located in this state. (Authorized by K.S.A. 2000 Supp. 74-7507; implementing K.S.A. 65-6303, 65-6307 and K.S.A. 2000 Supp. 65-6308; effective May 11, 2001.)

## Article 3.—PROFESSIONAL COUNSELORS; FEES

**102-3-16.** Services rendered to individuals located in this state. Except as authorized by K.S.A. 65-5807 and K.S.A. 65-5812, and amendments thereto, each person, regardless of the person's location, who engages in either of the following activities shall be deemed to be engaged in the practice of professional counseling in this state and shall be required to have a license, issued by the board, to practice professional counseling or clinical professional counseling as a licensed professional counselor or a licensed clinical professional counselor, as appropriate:

(a) performs any act included in subsection (b) of K.S.A. 65-5802, and amendments thereto, on or for one or more individuals located in this state; or

(b) represents oneself to be a licensed professional counselor or a licensed clinical professional counselor available to perform any act included in subsection (b) of K.S.A. 65-5802, and amendments thereto, on or for one or more individuals located in this state. (Authorized by K.S.A. 1999 Supp. 74-7507; implementing K.S.A. 65-5803, as amended by L. 1999, Ch. 117, § 2; effective May 11, 2001.)

## Article 4.—MASTERS LEVEL PSYCHOLOGISTS

**102-4-16.** Services rendered to individuals located in this state. Except as authorized by K.S.A. 74-5373, and amendments thereto, each person, regardless of the person's location, who engages in either of the following activities shall be deemed to be engaged in the practice of master's level psychology or clinical psychotherapy in this state and shall be required to have a license, issued by the board, to practice psychology as a licensed clinical psychotherapist or licensed master's level psychologist:

(a) performs any act included in subsection (a) of K.S.A. 74-5361, and amendments thereto, on or for one or more individuals located in this state; or

(b) represents oneself to be a master's level psychologist or clinical psychotherapist available to perform any act included in subsection (a) of K.S.A. 74-5361, and amendments thereto, on or for one or more individuals located in this state. (Authorized by K.S.A. 74-5370 and K.S.A. 1999 Supp. 74-7507; implementing K.S.A. 1999 Supp. 74-5371, as amended by L. 1999, Ch. 117, § 35; effective May 11, 2001.)

Article 5.—REGISTERED MARRIAGE AND  
FAMILY THERAPISTS

**102-5-15.** Services rendered to individuals located in this state. Except as authorized by K.S.A. 65-6409, and amendments thereto, each person, regardless of the person's location, who engages in either of the following activities shall be deemed to be engaged in the practice of marriage and family therapy in this state and shall be required to have a license, issued by the board, to practice marriage and family therapy as a licensed marriage and family therapist or a licensed clinical marriage and family therapist, as appropriate:

(a) performs any act included in subsection (b) of K.S.A. 65-6402, and amendments thereto, on or for one or more individuals located in this state; or

(b) represents oneself to be a licensed marriage and family therapist or a licensed clinical marriage and family therapist available to perform any act included in subsection (b) of K.S.A. 65-6402, and amendments thereto, on or for one or more individuals located in this state. (Authorized by K.S.A. 1999 Supp. 74-7507; implementing K.S.A. 65-6403, as amended by L. 1999, Ch. 117, § 19; effective May 11, 2001.)

Phyllis Gilmore  
Executive Director

Doc. No. 026497



State of Kansas

Kansas Insurance Department

Permanent Administrative Regulations

Article 1.—GENERAL

**40-1-46. Privacy of consumer financial information.** The national association of insurance commissioners' "privacy of consumer financial and health information regulation," as adopted by the national association of insurance commissioners on September 26, 2000, is hereby adopted by reference subject to the following exceptions: Sections 1, 17, 18, 19, 20, 21, and 24 are not adopted by reference. This regulation shall take effect on and after July 1, 2001. (Authorized by K.S.A. 40-103 and K.S.A. 40-2404(15); implementing K.S.A. 40-2404(15); effective July 1, 2001.)

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 026505

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

**111-2-125. April winner awareness "Starburst" promotion.** (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at the below-listed locations:

Retailer Number	Retailer Name	Location
13852	Taylor Texaco of Pratt	Pratt
13853	Taylor Yukon of McPherson	McPherson
13961	Taylor Conoco of Greensburg	Greensburg
12546	Turon Mini Mart	Turon
12313	Wright Oil	Medicine Lodge
10982	Town Pump	Hutchinson
11386	Haldon's	Sterling
13291	Sylvia Ampride	Sylvia
15077	Quicker Market	Garden City
15092	Corner Express	Satanta
13532	96 B Quick	Bazine
14524	Shannon's Retail Liquor	Elkhart
14485	Ridgepoint Convenience 2	Tribune
10962	Klema IGA	Russell
13218	Convenience Corner	Great Bend
14200	Quick Way	Lincoln
14281	Vista - #2007	Hays
14282	Vista - #2008	Hays
14283	Vista - #2009	Hays
14763	Schaffer Oil	LaCrosse
12079	SS Country Store	Sharon Springs
14361	Colby Corner	Colby
13744	Mid States Oil	Plainville
13604	O'Briens	Norton
14181	Oakley's IGA	Oakley
13328	Snak-Atak	Salina
11120	Brook's Liquor	Salina

15088	East Crawford Coastal	Salina
15086	Snak-Atak 3	Salina
14666	Corner Store	Salina
14071	VFW 3166	Liberal
13062	BPOE 1947	Liberal
13832	Benagains	Liberal
12110	VFW 1714	Dodge City
12792	Peppercorns	Dodge City
14613	Triple J	Montezuma
15117	Hitchin Post	Dodge City
15160	C-Plus	Minneola

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Sunday, April 1, 2001, and end at the end of the business day as defined at K.A.R. 111-6-1 on Monday, April 30, 2001.

(c) Beginning April 1, 2001, and concluding April 30, 2001, the lottery will conduct a "Starburst" promotion at all the above-listed stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery's choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is a \$300 credit on the retailer's lottery account. Second prize is a \$50 credit on the retailer's lottery account, and third prize is a \$25 credit on the retailer's lottery account. Each retail location is eligible to win only one of the three credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Great Bend regional office on May 7, 2001. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001.)

**111-2-126. Walther's Oil & Town Pump winner awareness "Starburst" promotion.** (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at all Wather Oil & Town Pump corporate locations:

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Sunday, April 1, 2001, and end at the end of the business day as defined at K.A.R. 111-6-1 on Monday, April 30, 2001.

(c) Beginning April 1, 2001, and concluding April 30, 2001, the lottery will conduct a "Starburst" promotion at all the Walther's Oil & Town Pump corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or

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on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery's choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is a \$300 credit on the retailer's lottery account. Second prize is a \$50 credit on the retailer's lottery account, and third prize is a \$25 credit on the retailer's lottery account. Each retail location is eligible to win only one of the three credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Great Bend regional office on May 7, 2001. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001.)

**111-2-127. "Winners Take All" retailer incentive.**

(a) During the period beginning May 1, 2001, and ending at the end of the business day on May 31, 2001, in addition to compensation specified in K.A.R. 111-2-4, the Kansas lottery shall also offer for all retailers the "Winners Take All" retailer incentive promotion. It will be held in conjunction with the Kansas lottery's "Winners Take All" game (K.A.R. 111-7-148 through 111-7-156).

(b) Official Kansas lottery sales reports for the month of May 2001 compared to the base period of March 1, 2001, through March 31, 2001, will determine a retailer location's eligibility for entry into a random selection of winners. If a retailer location has a minimum of \$150 in "Winners Take All" ticket sales, in addition to an increase of at least 20 percent in "Winners Take All" ticket sales for the period of May 1, 2001, through May 31, 2001, as compared to the base period, the retailer location will automatically be entitled to one entry for the random selection of winning entries. Entries will be completed by the lottery based upon official Kansas lottery "Winners Take All" sales reports. Entries shall be segregated according to the Kansas lottery region in which each retailer location is located.

(c) The random selection of winners will be held at approximately 10:15 a.m. on Friday, June 1, 2001, at lottery headquarters. The first three entries selected will be from the Topeka regional entries. The second three entries selected will be from the Great Bend regional entries. The third three entries selected will be from the Wichita regional entries. The first entry drawn from each region shall entitle the retailer location named thereon to win the prize set forth in subsection (d) herein. The second two entries drawn from each region shall be marked

(continued)

"1A" and "2A" in the order drawn, and serve as alternates in the order drawn to receive the prize for that region in the event the winner fails to timely claim the prize or is determined to be ineligible to receive the prize. All prizes must be claimed within 10 days of the random selection. If not claimed by said time, or if any winner is determined to be ineligible to receive the prize, the prize shall be awarded to an alternate in order drawn.

(d) The first entry selected from each Kansas lottery region shall entitle the retailer location named thereon to win the prize of a weekend package for two to the Kansas Speedway in Kansas City, Kansas, which prize includes two tickets each for the Saturday and Sunday Dayton Indy Lights series automobile races on July 7, 2001, and July 8, 2001, single hotel room accommodation with double occupancy on the evenings of July 6, 2001, and July 7, 2001, transportation between the hotel and Kansas Speedway, and access to the food and hospitality chalet at the Kansas Speedway. Each retailer location may only win one prize, thereby guaranteeing one winner from each Kansas lottery region. It is the responsibility of the retailer to designate the person to claim the prize. Prizes are non-transferable. Prizes cannot be redeemed for cash. All taxes due on said prizes will be the responsibility of the person who claims the prize, and the Kansas lottery is not responsible for the cancellation or postponement of said automobile races. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001.)

**Article 3.—INSTANT GENERIC GAME RULES**

**111-3-35. Return of unsold tickets.** (a) Commencing April 1, 2001, a retailer may return consigned books of unsold tickets until 60 days after the announced end of game date designated by the executive director. No tickets shall be consigned to a retailer after the end-of-game date announced by the executive director, and no consigned packs shall be activated after the end-of-game date.

(b) Commencing April 1, 2001, a retailer may return partial packs of tickets to the lottery until 60 days following the announced end-of-game date designated by the executive director. Unless specifically approved by the executive director, no credit will be allowed for any partial packs not returned within 60 days of the end-of-game date.

(c) In the event the executive director announces the termination of an instant game and cessation of sales to the public by retailers on a specific date, the lottery may reimburse retailers for activated books of unsold tickets for that specific game.

(d) Should a retailer contract be terminated or the retailer prohibited from selling instant tickets prior to the expiration of the game, the lottery may reimburse that specific retailer for all activated books of tickets of each active game.

(e) In any situation in which the lottery will reimburse a retailer for returned books of tickets, the amount of credit shall be based upon the actual price paid for the tickets by the retailer, multiplied by the number of returned books and/or tickets as counted by the lottery.

(f) Upon return of any tickets, the lottery shall provide the retailer with a receipt for the tickets returned. The retailer shall retain a copy of the receipt and shall be required to produce the receipt in the event of any claims the retailer may make regarding the tickets returned. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-3-3-94, Feb. 25, 1994; amended, T-111-11-8-94, Oct. 20, 1994; amended, T-111-6-5-95, May 31, 1995; amended, T-111-3-13-98, Feb. 20, 1998; amended, T-111-1-27-00, Jan. 21, 2000; amended, T-111-4-12-01, March 16, 2001.)

**Article 4.—INSTANT GAMES AND DRAWINGS**

**111-4-1818.** "Diamond Card" instant ticket lottery game number 128. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Diamond Card" commencing on or after February 26, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1818.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$1 <sup>00</sup>	ONE\$
\$2 <sup>00</sup>	TWO\$
\$5 <sup>00</sup>	FIVE\$
\$10 <sup>00</sup>	TEN\$
\$15 <sup>00</sup>	FIFTEEN
\$25 <sup>00</sup>	TWNFIV
\$50 <sup>00</sup>	FIFTY
\$100	ONEHUND
\$5,000	FIVETHOU
\$	DBL
1	ONE
2	TWO
3	THREE
4	FOUR
5	FIVE
6	SIX
7	SVN
8	EGT
9	NINE

(c) For this game, a play symbol shall appear in each of nine play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

ONE	=	\$1.00
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) In "Diamond Card," a player scratches off the latex covering the play area which consists of four "YOUR #S," four corresponding "PRIZE" amounts, and one "DIAMOND CARD #." If a player matches any of "YOUR #S" to the "DIAMOND CARD #," the player wins the amount shown in the corresponding "PRIZE" box. If a "\$\$" symbol is revealed, the player wins double the corresponding prize amount.

(h) Each ticket in this game may win up to four times.

(i) Approximately 1,440,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	190,800	\$190,800
\$2	\$2	15,600	31,200
\$1 + \$1	\$2	37,200	74,400
\$5	\$5	4,800	24,000
\$1 + \$1 + \$1 + \$1 DBL	\$5	12,000	60,000
\$2 + \$1 + \$1 + \$1	\$5	10,800	54,000
\$10	\$10	1,200	12,000
\$2 DBL + \$5 + \$1	\$10	4,800	48,000
\$5 + \$2 + \$2 + \$1	\$10	4,800	48,000
\$5 DBL	\$10	3,600	36,000
\$15	\$15	1,200	18,000
\$5 DBL + \$2 + \$2 + \$1	\$15	4,800	72,000
\$25	\$25	1,200	30,000
\$10 DBL + \$5	\$25	1,200	30,000
\$5 DBL + \$10 + \$5	\$25	1,200	30,000
\$50	\$50	215	10,750
\$15 DBL + \$10 + \$5 + \$5	\$50	215	10,750
\$100	\$100	40	4,000
\$25 DBL + \$25 + \$15 + \$10	\$100	40	4,000
\$5,000	\$5,000	7	35,000
TOTAL		<u>295,717</u>	<u>\$822,900</u>

(k) The odds of winning a prize in this game are approximately one in 4.87. (Authorized by K.S.A. 2000 Supp. 74-8710; implementing K.S.A. 2000 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-14-01, Feb. 16, 2001; amended, T-111-4-12-01, March 16, 2001.)

**111-4-1824.** "Diamonds & 8s" instant ticket lottery game number 154. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Diamonds & 8s" commencing on or after March 26, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1824.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1.00	ONE\$
\$2.00	TWO\$
\$4.00	FOUR\$
\$8.00	EGT\$
16.00	SIXTN
20.00	TWENTY
40.00	FORTY
80.00	EIGHTY
\$444\$	FRHFTFR
\$888\$	EETYEGT
8	EIGHT
X	XXX
Diamond symbol graphic	DOUBLER

(continued)

(c) For this game, a play symbol shall appear in each of 10 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

- FRE = Free Ticket
- TWO = \$2.00
- FOR = \$4.00
- EGT = \$8.00
- SXN = \$16.00
- FRY = \$40.00
- ETY = \$80.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) A player removes the scratch-off material to reveal nine play symbols and one prize amount. A player can win in one of two ways. If a player matches three "8" symbols in the same row, column, or diagonal straight line, the player wins the amount shown in the prize box. If a player matches two "8" symbols plus a "DIAMOND" symbol in the same row, column, or diagonal straight line, the player wins double the prize shown in the prize box.

(h) Each ticket in this game may win up to one time.

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free	Free Ticket	185,000
\$2	\$2	30,000
\$1 D	\$2	30,000
\$4	\$4	17,500
\$2 D	\$4	17,500
\$8	\$8	6,175
\$4 D	\$8	6,175
\$16	\$16	2,250
\$8 D	\$16	2,250
\$40	\$40	1,250
\$20 D	\$40	1,250
\$80	\$80	870
\$40 D	\$80	865
\$444 D	\$888	45
\$888	\$888	45
TOTAL		<u>301,175</u>
		<u>\$749,520</u>

"D" denotes doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.98. (Authorized by K.S.A. 2000 Supp. 74-8710; implementing K.S.A. 2000 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-12-01, March 16, 2001.)

**Article 7.—ON-LINE GAMES  
KANSAS SPEEDWAY WEEKEND  
RACE PACKAGE DRAWINGS**

**111-7-158. Name of drawing.** The Kansas lottery shall conduct a series of drawings entitled "Kansas Speedway Weekend Race Package Drawings" and will accept entries starting April 1, 2001, for drawings to be conducted at 10:00 a.m. on the following Fridays: April

13, 2001; April 20, 2001; April 27, 2001; May 4, 2001; May 11, 2001; May 18, 2001; May 25, 2001; June 1, 2001; and June 8, 2001. Rules applicable to the "Kansas Speedway Weekend Race Package Drawings" are contained in K.A.R. 111-7-158 through 111-7-162 and K.A.R. 111-6-1 et seq. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001.)

**111-7-159. Prize.** The 45 prize winners selected in the "Kansas Speedway Weekend Race Package Drawings" on the dates specified in K.A.R. 111-7-158 shall receive two tickets for each day of the 2001 Dayton Indy Lights Automobile race conducted at the Kansas Speedway in Kansas City, Kansas, on July 7, 2001, and July 8, 2001, one double occupancy hotel room and room taxes for the evenings of July 6, 2001, and July 7, 2001, round-trip transportation between the Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at the Kansas Speedway, and \$300 cash. The following restrictions shall apply to the "Kansas Speedway Weekend Race Package Drawings" prize packages:

(a) The Kansas lottery is not responsible for any losses caused by delay or cancellation of said automobile race.

(b) Prize packages are not transferable and cannot be redeemed for cash.

(c) The lottery shall choose and reserve all hotel rooms.

(d) The lottery shall provide transportation to and from the Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.

(e) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(f) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(g) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the room charge.

(h) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(i) No later than 5:00 p.m. on the tenth calendar day following each drawing, the winner of a prize as the result of the "Kansas Speedway Weekend Race Package Drawings" shall return to the lottery a completed claim form as provided by the lottery or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (d) of K.A.R. 111-7-162 shall be declared the winner. All alternate winners shall then be subject to the same rules of eligibility as original winners.

(j) A total of 45 prize packages shall be awarded at the rate of five prize packages per each of the nine weekly drawings. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001.)

**111-7-160. Method of entry.** (a) Entry into the "Kansas Speedway Weekend Race Package Drawings" shall be accomplished as follows:

(1) With every single purchase of \$5 or more for the Kansas lottery "Winners Take All" game from April 1, 2001, through May 26, 2001, the purchaser shall receive

one entry form for the "Kansas Speedway Weekend Race Package Drawings."

(2) The purchaser must complete the information form on the back of the entry form in a legible manner. Only one name shall appear on each entry form.

(3) Place one or more entry form(s) into an envelope with proper postage and mail it to: "Kansas Speedway Weekend Race Package Drawings," c/o Kansas lottery, P. O. Box 7777, Lawrence, Kansas 66044-7777. Mailed entries must be received by morning mail pickup on the Tuesday before each drawing.

(4) The holder of the ticket is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(5) Each drawing will be conducted at the approximate times listed in K.A.R. 111-7-158. Five entries and five alternate entries will be drawn at each drawing.

(6) Entry forms obtained during the stated period of time may be entered in any weekly drawing, but each entry may only be entered in one drawing. Following each drawing, all remaining tickets will be destroyed.

(b) There is no limit on the number of entries a person may make, but a person may only win one time during the entire promotion.

(c) All eligible entry forms which are mailed and received by the morning mail pickup in Lawrence, Kansas, on the Tuesday before each drawing shall be entered into the drawing to be conducted for the next following Friday.

(d) Eligible entrants in any of the "Kansas Speedway Weekend Race Package Drawings" must be 18 years of age or older.

(e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001.)

**111-7-161. Certification of drawing.** (a) The "Kansas Speedway Weekend Race Package Drawings" shall all be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery (hereinafter "event manager").

(b) Upon completion of each drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting each prize winner. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001.)

**111-7-162. Selection of winners.** The following process shall be used for the selection of winners in the "Kansas Speedway Weekend Race Package Drawings":

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Speedway Weekend Race Package Drawings" entries at the United States Post Office in Lawrence, Kansas, with final pick up for each weekly drawing after the morning mail delivery on each Tuesday prior to the drawing on the next following Friday.

(b) Lottery personnel shall transport the mail to the Kansas lottery mail room where the envelopes will be opened and emptied into the drawing receptacle or drum.

(c) The drawing shall be held at the lottery headquarters in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.

(d) At the start of each drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the drawings shall contain all entries eligible for that weekly drawing. The drum shall be rotated 10 times or receptacle mixed thoroughly as may be applicable. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove five valid entries, one at a time, from the receptacle or drum and mark them in order drawn: 1, 2, 3, 4, and 5. The person whose name appears on each of the entries shall be the winner of the prize identified in K.A.R. 111-7-159, subject to validation by the lottery as set forth in these rules.

(e) After five entries have been drawn and verified as valid by lottery security, five more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, and 5A. The alternate ticket entries will be used only if the original winners cannot be located or are declared ineligible, or fail to present a fully-executed claim form to lottery headquarters as required by K.A.R. 111-7-159(i). The alternates will be used, if necessary, in the order drawn.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "Kansas Speedway Weekend Race Package Drawings" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 10 calendar days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) All "Kansas Speedway Weekend Race Package Drawings" entries remaining in the drum or receptacle after the winners have been selected and certified at each weekly drawing and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001.)

Ed Van Petten  
Executive Director

Doc. No. 026482

(Published in the Kansas Register April 26, 2001.)

**Summary Notice of Bond Sale  
Unified School District No. 379  
Clay County, Kansas  
\$6,230,000**

**General Obligation School Bonds  
Series 2001-A**

**(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Sale Particulars**

Subject to the terms and conditions of the complete official notice of sale and the preliminary official statement both dated April 26, 2001, of Unified School District No. 379, Clay County, Kansas, in connection with the issuance of the district's General Obligation Bonds, Series 2001-A, sealed, facsimile and electronic bids will be received at the office of the district clerk at 807 Dexter St., Clay Center, KS 67432-0097, until 2 p.m. Monday, May 7, 2001, for the purchase of the bonds. All bids will be publicly opened and read at that time and place and will be presented to the district's governing body during its regularly scheduled meeting later that day whereupon the governing body will take action upon the bids received at that time.

No oral or auction bids for the bonds will be considered, and no bid for less than the entire principal amount of the bonds will be considered.

Sealed bids will be accepted only on the official bid form that has been prepared for the public bidding on the bonds, which may be obtained from the district's financial advisor or the district clerk. Each bid for the bonds must be accompanied by a good faith deposit in the form of a qualified financial surety bond or certified or cashier's check drawn on a bank located within the United States, each made payable to the order of the district and in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds in the approximate principal amount of \$6,230,000 are to be dated May 15, 2001, and will be issued as fully registered bonds in the denomination of \$5,000 or any integral multiples thereof. The bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds will be payable semiannually on April 1 and October 1 in each year, commencing April 1, 2002.

The bonds will mature serially on October 1 as follows:

Maturity	Amount
2002	\$ 40,000
2003	190,000
2004	245,000
2005	275,000

2006	290,000
2007	300,000
2008	315,000
2009	330,000
2010	350,000
2011	355,000
2012	375,000
2013	390,000
2014	410,000
2015	425,000
2016	450,000
2017	470,000
2018	500,000
2019	520,000

Certain of the bonds are subject to redemption prior to their maturities as provided in the complete official notice of bond sale and preliminary official statement.

**Payment of Principal and Interest**

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds, and the principal of the bonds will be payable upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest will be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

**Security for the Bonds**

The bonds and the interest thereon will constitute general obligations of the district, and the full faith, credit and resources of the district will be pledged to the payment thereof. The district is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the district for the purpose of paying the bonds and the interest thereon.

**Delivery of the Bonds**

The bonds, duly prepared, executed and registered, will be furnished and delivered in book-entry form only at the expense of the district through the facilities of the Depository Trust Company, New York, New York, on or about May 22, 2001.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Jonathan P. Small, Chartered, Topeka, Kansas, bond counsel, whose fees will be paid by the district. Bond counsel's approving legal opinion as to the validity of the bonds will be furnished and paid for by the district and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale and preliminary official statement for a discussion of tax exemption and other legal matters.)

**Financial Matters**

The total equalized assessed valuation of the taxable tangible property within the district for computation of bonded debt limitations for the year 2000 is \$55,882,743. The total general obligation bonded indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$6,380,000.

**Additional Information**

For additional information regarding the district, the bonds and the public sale, interested parties are invited



to contact the district clerk at the address and telephone number shown below or the district's financial advisor, George K. Baum & Company, 430 Nichols Road, Suite 200, Kansas City, MO 64112.

Dated April 26, 2001.

Lynn Ruthstrom  
District Clerk  
807 Dexter  
Clay Center, KS 67432-0097  
(785) 632-3176  
Fax (785) 632-5020

Doc. No. 026510

(Published in the Kansas Register April 26, 2001.)

**Summary Notice of Sale  
City of Hutchinson, Kansas**

**\$2,185,000**

**General Obligation Bonds, Series 2001-A  
and**

**\$110,000**

**General Obligation Bonds  
(Taxable under Federal Law)  
Series 2001-B**

**(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated April 26, 2001, bids will be received by the deputy city manager/city clerk of the City of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, Hutchinson, KS 67501, until 10 a.m. May 8, 2001, for the purchase of \$2,185,000 principal amount of General Obligation Bonds, Series 2001-A, and \$110,000 principal amount of General Obligation Bonds (Taxable Under Federal Law), Series 2001-B. No bid of less than the entire par value of each series of bonds, except a discount of not greater than .50 percent of the par value of such series of bonds, and accrued interest to the date of delivery will be considered.

**Bond Details**

The Series 2001-A Bonds and the Series 2001-B Bonds (collectively, the bonds) will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 2001, and will become due on October 1 in the years as follows:

**Series 2001-A Bonds**

Maturity October 1	Principal Amount
2002	\$190,000
2003	80,000
2004	215,000
2005	195,000
2006	220,000
2007	220,000
2008	260,000
2009	270,000
2010	280,000
2011	255,000

**Series 2001-B Bonds  
(Taxable Under Federal Law)**

Maturity October 1	Principal Amount
2002	\$10,000
2003	5,000
2004	15,000
2005	10,000
2006	10,000
2007	10,000
2008	10,000
2009	10,000
2010	15,000
2011	15,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2001.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of 2 percent of the principal amount of the applicable series of bonds.

**Delivery**

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 30, 2001, at the offices of the Depository Trust Company, New York, New York.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$224,647,925. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$30,230,000.

**Approval of Bonds**

The bonds will be sold subject to the legal opinion of Logan Riley Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder(s) when the applicable series of bonds is delivered.

**Additional Information**

Additional information regarding the bonds may be obtained from the deputy city manager/city clerk, (316) 694-2613; or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated April 19, 2001.

City of Hutchinson, Kansas  
By Ross Vander Hamm  
City Hall  
125 E. Ave. B  
Hutchinson, KS 67501

Doc. No. 026509

(Published in the Kansas Register April 26, 2001.)

**Summary Notice of Bond Sale****Scott County, Kansas****\$1,834,000****General Obligation Bonds****Series 2001****(General obligation bonds payable from unlimited ad valorem taxes)****Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated as of April 17, 2001, of Scott County, Kansas, in connection with the county's General Obligation Bonds, Series 2001, hereinafter described, written bids shall be received at the office of the county clerk at the Scott County Courthouse, 303 Court, Scott City, KS 67871, or by telefacsimile at (620) 872-7145, until 2 p.m. Tuesday, May 15, 2001, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date and at said time and shall thereafter be immediately considered and acted upon by the county.

No oral or auction bids for the bonds shall be considered, and no bids for less than 99 percent of the total principal amount of the bonds and accrued interest to the date of delivery shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the county clerk or the county's financial advisor. Bids may be submitted by mail or delivered in person, or may be submitted by telefacsimile at (620) 872-7145, and must be received at the place and not later than the date and time hereinbefore specified. Neither the county, its bond counsel, its financial advisor, nor any officer or employee of the county shall be deemed to have any liability whatsoever in connection with the failure of any electronic or telefacsimile equipment or any other occurrence resulting in disqualification or failure by the county to receive a bid. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the county, or in the form of a financial surety bond payable to the order of the county and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds to be sold are in the aggregate principal amount of \$1,834,000, and shall bear a dated date of June 1, 2001. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified in even multiples of 1/8th or 1/10th of 1 percent by the successful bidder for the bonds. The difference between the highest and lowest interest rate shall not exceed 3 percent. Certain of the bonds are subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on February 1 and August 1 of each year, commencing February 1, 2002, and the bonds shall mature serially on August 1 in each of the years and principal amounts as follows:

**Maturity Schedule**

Principal Amount	Maturity Date
\$ 44,000	2002
60,000	2003
60,000	2004
65,000	2005
70,000	2006
70,000	2007
75,000	2008
80,000	2009
85,000	2010
85,000	2011
90,000	2012
95,000	2013
100,000	2014
105,000	2015
110,000	2016
115,000	2017
120,000	2018
125,000	2019
135,000	2020
145,000	2021

**Redemption of Bonds**

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. Additionally, a bidder may elect to have all or a portion of the bonds shown in the above maturity schedule issued as term bonds, which would be subject to mandatory redemption requirements. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

**Payment of Principal and Interest**

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

**Book-entry Option**

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through the Depository Trust Company, New York, New York (DTC).

**Bond Insurance**

The county has not applied for any municipal bond insurance with respect to the bonds, and will not pay the premium in connection with any policy of municipal bond insurance desired by the successful bidder. In the event a bidder desires to purchase and pay all costs associated with the issuance of a policy of municipal bond insurance in connection with the bonds, a commitment from the selected insurer must be attached to such bidder's official bid form, which commitment shall specify

all terms and conditions to which the county will be required to agree in connection with the issuance of such insurance policy. The governing body of the county specifically reserves the right to reject any bid specifying municipal bond insurance, even though such bid may result in the lowest net interest cost to the county.

**Security for the Bonds**

The bonds and the interest thereon constitute general obligations of the county and the full faith, credit and resources of the county will be pledged to the payment thereof. The bonds shall be payable as to both the principal of and the interest thereon from ad valorem taxes levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the county for the purpose of paying the bonds and the interest thereon.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the county to the successful bidder, or at its direction, on or about Friday, June 1, 2001, at such bank or trust company or other qualified depository in the contiguous United States, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the county. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

**Financial Matters**

The county's current equalized assessed tangible valuation is as follows:

Assessed Valuation of Taxable Tangible Property .....	\$56,526,577
Taxable Value of Motor Vehicles .....	<u>4,628,900</u>
Assessed Tangible Valuation for Computation of Bonded Debt Limitations .....	<u>\$61,155,477</u>

K.S.A. 10-306 provides that the authorized and outstanding bonded indebtedness of any county shall not exceed 3 percent of the assessed valuation of all tangible taxable property within the county. As of June 1, 2001, the county's gross outstanding debt, including the bonds, will be \$1,834,000. The county's total indebtedness that is subject to debt limitation, as of June 1, 2001, will be \$1,834,000, which is 3 percent of the assessed valuation of the county.

**Official Statement**

The county has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the county or the county's financial advisor. The preliminary official statement is in a form "deemed final" by the county for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject

to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the county shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

**Continuing Disclosure**

The county will adopt a resolution establishing a limited undertaking to provide ongoing disclosure concerning the county in connection with and for the benefit of owners of the bonds, pursuant to Section (b)(5)(i) of Securities and Exchange Commission Rule 15c2-12. A copy of the resolution is included as an appendix to the preliminary official statement.

**Additional Information**

For additional information regarding the county, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form and the county's preliminary official statement for the bonds, all of which may be obtained from the county clerk at the address and telephone number shown below, or from the financial advisor, David Shupe, Chapman Securities, Inc., 800 E. 1st St., Suite 400, Wichita, KS 67201-0205, (316) 265-3331.

Scott County, Kansas  
By Pamela J. Faurot, County Clerk  
Scott County Courthouse  
303 Court  
Scott City, KS 67871  
(620) 872-2420  
Fax (620) 872-7145

Doc. No. 026501

**State of Kansas**

**Department of Administration  
Division of Purchases**

**Notice to Bidders**

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

**Monday, May 7, 2001**

**03201**

University of Kansas Medical Center—Laser  
Microdissection Microscope System

**03205**

Hutchinson Correctional Facility—Metal Security  
Doors and Frames

**Thursday, May 10, 2001**

**A-9077 and A-9078**

Atchison Juvenile Correctional Facility—ADA Access,  
Bert Nash School

*(continued)*

A-9172(a)

Pittsburg State University—Reroof, Chandler Hall

A-9219

Kansas State University—Calvin Hall West Entry

Friday, May 11, 2001

03215

Department of Social and Rehabilitation Services—  
UPS Systems, Various Locations

Wednesday, May 16, 2001

A-9182

University of Kansas—Replace Addition Roof/Replace  
Gutters, Lippincott Hall

A-8933

University of Kansas—Addition and Renovation,  
Kansas Union, Phase III (pre-bid conference at 10 a.m.  
May 2, Memorial Union, Jayhawk Room)

03206

University of Kansas—2002 Undergraduate Viewbook

Thursday, May 17, 2001

A-9099(b)

Lansing Correctional Facility—AVTS Building  
Structural Modifications

A-9075

Atchison Juvenile Correctional Facility—Replace  
Existing Emergency Engine Generator, Main Power  
Plant

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**Request for Proposals**

Thursday, May 17, 2001

03191

Rest Area Maintenance Services for the Department  
of Transportation

Tuesday, May 22, 2001

03167

Safe Ride/Lift Van Services for the University of  
Kansas

03195

Instant Lottery Tickets for the Kansas Lottery

Thursday, May 24, 2001

03203

Environment Multimedia Campaign for the Kansas  
Department of Health and Environment

John T. Houlihan  
Director of Purchases

Doc. No. 026511

**State of Kansas**

**Social and Rehabilitation Services**

**Request for Comments**

The Kansas Department of Mental Health, Substance Abuse Treatment and Recovery (MHSATR) of SRS, as the state mental health authority, annually receives \$300,000 in federal funds from the Center for Mental Health Services to provide Projects for Assistance in Transition from Homelessness (PATH). MHSATR announces that its intended use of the grant is to effectively outreach, engage and serve those individuals who are seriously mentally ill and homeless (or at imminent risk of homelessness).

Direct written comments or questions regarding the intended use of PATH funds to Kimberly E. Reynolds, M.Ed., MHSATR, 5th Floor North, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1570. To be considered in formulating award decisions, written comments must be received by the close of business May 31.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 026504

**State of Kansas**

**Secretary of State**

**Certification of New State Laws**

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Ron Thornburgh  
Secretary of State

(Published in the Kansas Register April 26, 2001.)

**SENATE BILL No. 147**

AN ACT concerning wildlife and parks; relating to certain fees; amending K.S.A. 32-988, 32-1001, and 32-1172 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 32-988 is hereby amended to read as follows: 32-988. (a) The secretary is authorized to adopt, in accordance with K.S.A. 32-805 and amendments thereto, rules and regulations fixing the amount of fees for the following items, subject to the following limitations and subject to the requirement that no such rules and regulations shall be adopted as temporary rules and regulations:

- Big game permits
  - Resident (other than elk permit): minimum \$10; maximum \$100
  - Nonresident (other than elk permit): minimum \$30; maximum \$400
  - Elk permit: maximum \$350
  - Big game tag: maximum \$10
  - Nonresident applications: maximum \$5
- Combination hunting and fishing licenses
  - Resident: minimum \$10; maximum \$30 \$50
  - Lifetime: minimum \$400; maximum \$600 \$1,000; or 8 quarterly payments, each minimum \$55; maximum \$60 \$150
  - Nonresident: minimum \$75; maximum \$125 \$200
- Commercial dog training permits: minimum \$10; maximum \$25
- Commercial guide permit or associate guide permit: maximum \$50
  - Resident; maximum \$250
  - Nonresident: maximum \$1,000
- Commercial harvest or dealer permits: minimum \$10; maximum \$200
- Commercial prairie rattlesnake harvesting permits
  - Resident or nonresident with valid hunting license: maximum \$5
  - Resident or nonresident nonfirearm without valid hunting license: maximum \$20
- Controlled shooting area operator license: minimum \$200; maximum \$400

Duplicate licenses, permits, stamps and other issues of the department: maximum \$10  
Falconry

Permits: ~~minimum \$50~~; maximum \$300

Examinations: ~~minimum \$25~~; maximum \$100

Field trial permits: ~~minimum \$10~~; maximum \$25

Fishing licenses

Resident: ~~minimum \$5~~; maximum ~~\$15~~ \$25

Lifetime: ~~minimum \$200~~; maximum ~~\$300~~ \$500; or 8 quarterly payments, each ~~minimum \$30~~; maximum ~~\$45~~ \$75

Nonresident: ~~minimum \$15~~; maximum ~~\$50~~ \$75

Five-day nonresident: ~~minimum \$5~~; maximum ~~\$15~~ \$25

Institutional group: ~~minimum \$100~~; maximum \$200

Special nonprofit group: ~~minimum \$50~~; maximum \$200

Twenty-four-hour: maximum ~~\$3~~ \$10

Fur dealer licenses

Resident: ~~minimum \$50~~; maximum \$200

Nonresident: ~~minimum \$50~~; maximum \$400

Furharvester licenses

Resident: ~~minimum \$10~~; maximum ~~\$20~~ \$25

Lifetime: ~~minimum \$200~~; maximum ~~\$300~~ \$500; or 8 quarterly payments, each ~~minimum \$30~~; maximum ~~\$45~~ \$75

Nonresident: ~~minimum \$50~~; maximum \$400

Game breeder permits: ~~minimum \$2~~; maximum \$25

Handicapped hunting and fishing permits: maximum \$5

Hound trainer-breeder running permits: ~~minimum \$10~~; maximum \$25

Hunting licenses

Resident: ~~minimum \$5~~; maximum ~~\$15~~ \$25

Lifetime: ~~minimum \$200~~; maximum ~~\$300~~ \$500; or 8 quarterly payments, each ~~minimum \$30~~; maximum ~~\$45~~ \$75

Nonresident 16 or more years of age: ~~minimum \$25~~; maximum ~~\$75~~ \$125

Nonresident under 16 years of age: maximum \$75

Controlled shooting area: ~~minimum \$5~~; maximum ~~\$15~~ \$25

Forty-eight-hour waterfowl permits: maximum \$25

Migratory waterfowl habitat stamps: ~~minimum \$3~~; maximum ~~\$5~~ \$8

Mussel fishing licenses

Resident: ~~minimum \$25~~; maximum \$200

Nonresident: ~~minimum \$50~~; maximum \$1,500

Rabbit permits

Live trapping: maximum \$200

Shipping: ~~minimum \$25~~; maximum \$400

Raptor propagation permits: maximum \$100

Rehabilitation permits: maximum \$50

Scientific, educational or exhibition permits: maximum \$10

Wildlife damage control permits: maximum \$10

Wildlife importation permits: maximum \$10

Special permits under K.S.A. 32-961: maximum \$100

Miscellaneous fees

Special events on department land or water: maximum \$200

Special departmental services, materials or supplies: no maximum

Other issues of department: no maximum

Vendor bond: no maximum

(b) The fee for a landowner-tenant resident big game hunting permit shall be an amount equal to 1/2 the fee for a general resident big game hunting permit.

(c) The fee for a furharvester license for a resident under 16 years of age shall be an amount equal to 1/2 the fee for a resident furharvester license.

(d) ~~For a resident 65 or more years of age the fee for a hunting license, fishing license, combination hunting and fishing license, lifetime hunting license, lifetime fishing license or lifetime combination hunting and fishing license shall be an amount equal to 1/2 the fee for a resident license.~~

(e) The secretary may establish, by rules and regulations adopted in accordance with K.S.A. 32-805 and amendments thereto, different fees for various classes and types of licenses, permits, stamps and other issuances of the department which may occur within each item as described under subsection (a).

Sec. 2. K.S.A. 32-1001 is hereby amended to read as follows: 32-1001. (a) It is unlawful for any person to:

(1) Participate or engage in any activity for which such person is required to have obtained a license, permit, stamp or other issue of the department under the wildlife and parks laws of this state or under rules and regulations of the secretary unless such person has obtained a currently valid such license, permit, stamp or other issue issued to such person;

(2) fail to carry in such person's possession a currently valid license, permit, stamp or other issue of the department, issued to such person, while participating or engaging in any activity for which such person is required to have obtained such license, permit, stamp or other issue un-

der the wildlife and parks laws of this state or under rules and regulations of the secretary;

(3) refuse to allow examination of any license, permit, stamp or other issue of the department while participating or engaging in any activity for which such person is required to have obtained such license, permit, stamp or other issue under the wildlife and parks laws of this state or under rules and regulations of the secretary, upon demand by any officer or employee of the department or any officer authorized to enforce the laws of this state or rules and regulations of the secretary;

(4) while participating or engaging in fishing or hunting: (A) Fail to carry in such person's possession a card or other evidence which such person is required to carry pursuant to K.S.A. 32-980 and amendments thereto; or (B) refuse to allow inspection of such card or other evidence upon demand of any officer or employee of the department or any officer authorized to enforce the laws of this state or rules and regulations of the secretary; or

(5) make any false representation to secure any license, permit, stamp or other issue of the department, or duplicate thereof, or to make any alteration in any such license, permit, stamp or other issue.

(b) No person charged with violating subsection (a)(1) for failure to obtain a vehicle or camping permit for use of any state park, or any portion thereof or facility therein, or any other area or facility for which a vehicle or camping permit is required pursuant to rules and regulations of the secretary shall be convicted thereof unless such person refuses to purchase such permit after receiving a permit violation notice, which notice shall require the procurement of: (1) The proper *daily* permit or permits and payment, within 24 hours, of a late payment fee of ~~\$5~~ \$15; or (2) *an annual vehicle or camping permit, as the case may be, if such permit has been established by rule and regulation and adopted by the secretary. The provisions of this subsection (b)(2) shall expire on December 31, 2002.*

(c) (1) In any prosecution charging a violation of subsection (a)(1) for failure to obtain a permit required by K.S.A. 32-901 and amendments thereto, proof that the particular vehicle described in the complaint was in violation, together with proof that the defendant named in the complaint was at the time of the violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the time when and place where the violation occurred.

(2) Proof of a written lease of, or rental agreement for, a particular vehicle described in the complaint, on the date and at the time of the violation, which lease or rental agreement includes the name and address of the person to whom the vehicle was leased or rented at the time of the violation, shall rebut the prima facie evidence that the registered owner was the person who parked or placed the vehicle at the time when and place where the violation occurred.

(d) No person who is a resident of this state and charged with violating subsection (a)(1) or (a)(2) shall be convicted thereof if such person produces in court or the office of the arresting officer the appropriate license, permit, stamp or other issue of the department, lawfully issued to such person and valid at the time of such person's arrest.

Sec. 3. K.S.A. 32-1172 is hereby amended to read as follows: 32-1172. (a) The secretary is authorized to adopt, in accordance with K.S.A. 32-805 and amendments thereto, rules and regulations fixing the amount of fees for the following items, subject to the following limitations and subject to the requirement that no such rules and regulations shall be adopted as temporary rules and regulations:

Duplicate registrations, certificates or permits: maximum \$10

Testing or demonstration boat registrations: ~~minimum \$30~~; maximum \$50

Additional registrations: ~~minimum \$5~~; maximum \$10

Vessel registrations: ~~minimum \$9~~; maximum ~~\$18~~ \$30

Temporary registrations: ~~minimum \$2~~; maximum ~~\$4~~

Water event permits: maximum \$50

Special departmental services, materials or supplies: no maximum

Sec. 4. K.S.A. 32-988, 32-1001 and 32-1172 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 26, 2001.)

## SENATE BILL No. 309

AN ACT authorizing the state historical society to accept conveyance of certain real property on behalf of the state.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. (a) The state historical society is authorized to accept and hold, in the name of the state, the William Allen White House, located at 927 Exchange Street, Emporia, Kansas 66801, Lot 137, 139, 141 and 143 on Exchange St., Section 10, Township 19, Range 11E. Such real property and the improvements thereon shall be acquired in fee simple by gift, grant or designation for the purpose of establishing and maintaining it as a historical landmark and memorial to the great author, newspaper editor and a social and political force that shaped the state and the nation during the first half of the twentieth century. The state historical society shall have the power to do any and all things necessary to carry out the intent and purpose of this act and to make such rules and regulations for the use, enjoyment and government of the premises as may be necessary.

(b) Conveyance of the property described in subsection (a) shall not be accepted by the executive director of the state historical society until the attorney general approves the deed and determines that such conveyance would convey such land in fee simple to the state of Kansas.

(c) Moneys received by the state historical society from federal agencies or other federal sources for the William Allen White House shall be expended for restoring, equipping and otherwise preparing the William Allen White House for visitation by members of the public, including all interpretation and similar exhibit development, to the extent permitted by applicable federal requirements, guidelines and limitations.

(d) All expenditures by the state historical society for the operations or for any capital improvements for the William Allen White House shall be funded from moneys received from federal agencies, local governmental entities or private sources, including but not limited to fees and donations received from persons visiting the William Allen White House.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 26, 2001.)

## SENATE BILL No. 83

AN ACT relating to motor vehicles; concerning the registration thereof; amending K.S.A. 8-129 and K.S.A. 2000 Supp. 8-173 and repealing the existing sections.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2000 Supp. 8-173 is hereby amended to read as follows: 8-173. (a) An application for registration of a vehicle as provided in article 1 of chapter 8 of the Kansas Statutes Annotated and amendments thereto, shall not be accepted unless the person making such application shall exhibit:

(1) A receipt showing that such person has paid all personal property taxes levied against such person for the preceding year, including taxes upon such vehicle, except that if such application is made before June 21 such receipt need show payment of only one-half the preceding year's tax; or

(2) evidence that such vehicle was assessed for taxation purposes by a state agency, or was assessed as stock in trade of a merchant or manufacturer or was exempt from taxation under the laws of this state.

(b) An application for registration of a vehicle as provided in article 1 of chapter 8 of the Kansas Statutes Annotated shall not be accepted if the records of the county treasurer show that the applicant is delinquent and owes personal property taxes levied against the applicant for any preceding year.

(c) An application for registration or renewal of registration of a motor vehicle shall not be accepted until the applicant signs a certification, provided by the director of motor vehicles, certifying that the applicant has and will maintain, during the period of registration, the required insurance, self insurance or other financial security required pursuant to K.S.A. 40-3104 and amendments thereto.

(d) ~~An application for registration or renewal of registration of a vehicle shall not be accepted if the applicant is unable to provide proof of the insurance, self insurance or other financial security required by~~

~~article 31 of chapter 40 of the Kansas Statutes Annotated. Proof of insurance shall be verified by examination of the insurance card issued by an insurance company, a certificate of self insurance issued by the commissioner, a binder of insurance, a certificate of insurance, a motor carrier identification number issued by the state corporation commission, proof of insurance for vehicles covered under a fleet policy, a commercial policy covering more than one vehicle or a policy of insurance required by K.S.A. 40-3104, and amendments thereto and for vehicles used as part of a drivers education program, a dealership contract and a copy of a motor vehicle liability insurance policy issued to a school district or accredited nonpublic school. Examination of a photocopy of any of these documents shall suffice for verification of mail registration or renewals.~~

~~(d) An application for registration or renewal of registration of a vehicle shall not be accepted if the applicant is unable to provide proof of the insurance, self insurance or other financial security required by article 31 of chapter 40 of the Kansas Statutes Annotated. Proof of insurance shall be verified by examination of the insurance card or other documentation issued by an insurance company, a certificate of self insurance issued by the commissioner, a binder of insurance, a certificate of insurance, a motor carrier identification number issued by the state corporation commission, proof of insurance for vehicles covered under a fleet policy, a commercial policy covering more than one vehicle or a policy of insurance required by K.S.A. 40-3104, and amendments thereto and for vehicles used as part of a drivers education program, a dealership contract and a copy of a motor vehicle liability insurance policy issued to a school district or accredited nonpublic school. Examination of a photocopy or facsimile of any of these documents shall suffice for verification of registration or renewal. Proof of insurance may also be verified on-line or electronically.~~

Sec. 2. K.S.A. 8-129 is hereby amended to read as follows: 8-129.

(a) Applications for the registration of a vehicle required to be registered shall be made by the owner, by mail, on-line, electronically or otherwise, in the office of the county treasurer of:

(1) The county in which such owner resides; or

(2) the county in which the owner has a bona fide place of business, if such vehicle is garaged in such county for a period exceeding 90 days. Such place of business shall not be an office or facility established or maintained solely for the purpose of obtaining registration.

Such applications for registration shall be made upon appropriate forms furnished by the department and every application shall contain the name of the owner, such owner's residence address or bona fide place of business, a brief description of the vehicle to be registered and such other information as may be required by the department. If the owner is not a resident of or does not have a bona fide place of business in this state, the owner may make application for registration in any county which the department shall designate, except that in the case of members of the armed forces of the United States, the application may be signed by the owner's spouse, parent, eldest brother or sister, in the order named. If the application is made by mail it, on-line or electronically, such application shall be accompanied by a fee of \$.50 for postage and other expenses incidental to mailing the license plates, which fee shall be in addition to the registration fee, and the county treasurer shall deposit the sum in the special fund provided by K.S.A. 8-145, and amendments thereto, to be used for the purpose of paying the postage, necessary help and expenses. With reference to every foreign vehicle which has been registered outside of this state, the owner shall exhibit to the department the certificate of title and registration card, or other evidence of such former registration as may be in the applicant's possession or control, or such other evidence as will satisfy the department that the applicant is the lawful owner or possessor of the vehicle.

(b) The applicant for the registration of a vehicle required to be registered, upon the filing of the application, shall submit a statement certifying that such person has a certificate of title for the motor vehicle, showing the date and identification thereof, or file an application therefor, as provided in this act.

Sec. 3. K.S.A. 8-129 and K.S.A. 2000 Supp. 8-173 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.



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## SENATE BILL No. 110

AN ACT concerning certified public accountants; licensure; fees; amending K.S.A. 2000 Supp. 1-301 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2000 Supp. 1-301 is hereby amended to read as follows: 1-301. (a) The board shall charge and collect a fee from each applicant for a Kansas certificate or notification and shall charge and collect a fee for a permit to practice as a certified public accountant in this state. ~~The board may require that Fees for examination and reexamination shall be paid directly to the examination service by the person taking the examination. Each such fee payable to the board or the examination service shall accompany the appropriate application. No portion of any fee shall be returned to the applicant unless the board determines there is just cause for a refund.~~

(b) The board shall adopt rules and regulations fixing the fees provided to be charged and collected under this section, which shall be as follows:

~~(1) For initial admission to any required examination, an amount not to exceed \$200. If an applicant fails to pass the required examination, a complete reexamination may be taken upon payment of an additional fee of not to exceed \$175 for each such complete reexamination. If an applicant fails to pass part of the required examination, a partial reexamination may be taken upon payment of an additional fee of not to exceed \$150 for each such partial reexamination;~~

~~(2) (1) For issuance of a certificate (initial or duplicate) an amount not to exceed \$50;~~

~~(2) (2) for issuance of a reciprocal certificate an amount not to exceed \$250;~~

~~(4) (3) for issuance or renewal of a permit to practice for the holder of a Kansas certificate, an amount not to exceed \$150, subject to paragraphs (5) (4) and (7) (6);~~

~~(5) (4) for issuance or renewal of a permit to practice for the holder of a Kansas certificate whose permit is issued or renewed for a period of 12 months or less, an amount equal to 1/2 the amount of the fee fixed under paragraph (4) (3), subject to paragraph (7) (6);~~

~~(6) (5) for issuance of a duplicate permit to practice for the holder of a Kansas certificate, an amount not to exceed \$25;~~

~~(7) (6) for reinstatement of a permit to practice in the case of the holder of a Kansas certificate who had in some prior year held a permit to practice but who did not hold such a permit for the year immediately preceding the period for which a permit to practice is requested, or who, if holding a permit to practice for such period immediately preceding applies for renewal subsequent to the expiration date of such permit, an amount equal to 1 1/2 times the amount of the fee then fixed under paragraph (2) (2) or paragraph (4) (3), whichever is applicable;~~

~~(8) (7) to proctor the uniform certified public accountant examination to a candidate of another state who is temporarily in this state at the time of the examination an amount not to exceed \$200 per examination;~~

~~(9) for notification or renewal of notification required pursuant to K.S.A. 2000 Supp. 1-322, and amendments thereto, an amount not to exceed \$150; and~~

~~(10) (8) for annual firm registration, an amount not to exceed \$50.~~

(c) On or before May 30 each year, the board shall determine the amount of funds that will be required during the ensuing year to carry out and enforce the provisions of law administered by the board and may adopt rules and regulations to change any fees fixed under this section as may be necessary, subject to the limitations prescribed by this section. Upon changing any renewal fees as provided by this section, the board shall immediately notify all holders of permits to practice of the amount of such fees. The fees fixed by the board and in effect under this section immediately prior to the effective date of this act shall continue in effect until such fees are fixed by the board by rules and regulations as provided by this section.

Sec. 2. K.S.A. 2000 Supp. 1-301 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

## Senate Substitute for HOUSE BILL No. 2299

AN ACT concerning committees and entities subject to the open records law and the open meetings law; amending K.S.A. 75-4318 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-4318 is hereby amended to read as follows: 75-4318. (a) Except as otherwise provided by state or federal law or by rules of the house or senate, and except with respect to any impeachment inquiry or other impeachment matter referred to any committee of the house of representatives prior to the report of such committee to the full house of representatives, all meetings for the conduct of the affairs of, and the transaction of business by, all legislative and administrative bodies and agencies of the state and political and taxing subdivisions thereof, including boards, commissions, authorities, councils, committees, subcommittees and other subordinate groups thereof, receiving or expending and supported in whole or in part by public funds shall be open to the public and no binding action by such bodies shall be by secret ballot, but any administrative body that is authorized by law to exercise quasi-judicial functions shall not be required to have open meetings when such body is deliberating matters relating to a decision involving such quasi-judicial functions. *Meetings of task forces, advisory committees or subcommittees of advisory committees created pursuant to a governor's executive order shall be open to the public in accordance with this act.*

(b) Notice of the date, time and place of any regular or special meeting of a public body designated hereinabove shall be furnished to any person requesting such notice, except that:

(1) If notice is requested by petition, the petition shall designate one person to receive notice on behalf of all persons named in the petition, and notice to such person shall constitute notice to all persons named in the petition;

(2) if notice is furnished to an executive officer of an employees' organization or trade association, such notice shall be deemed to have been furnished to the entire membership of such organization or association; and

(3) the public body may require that a request to receive notice must be submitted again to the body prior to the commencement of any subsequent fiscal year of the body during which the person wishes to continue receiving notice, but, prior to discontinuing notice to any person, the public body must notify the person that notice will be discontinued unless the person resubmits a request to receive notice.

(c) It shall be the duty of the presiding officer or other person calling the meeting, if the meeting is not called by the presiding officer, to furnish the notice required by subsection (b).

(d) Prior to any meeting hereinabove mentioned, any agenda relating to the business to be transacted at such meeting shall be made available to any person requesting said agenda.

(e) The use of cameras, photographic lights and recording devices shall not be prohibited at any meeting mentioned by subsection (a), but such use shall be subject to reasonable rules designed to insure the orderly conduct of the proceedings at such meeting.

New Sec. 2. The Sunflower Foundation: Health Care for Kansas, established pursuant to the settlement agreement entered into by the attorney general in the action filed by Blue Cross and Blue Shield of Kansas, Inc., in the district court of Shawnee county, Kansas, case no. 97CV608, shall be and is hereby deemed to be a public agency and shall be subject to the open records law.

New Sec. 3. The Sunflower Foundation: Health Care for Kansas, established pursuant to the settlement agreement entered into by the attorney general in the action filed by Blue Cross and Blue Shield of Kansas, Inc., in the district court of Shawnee county, Kansas, case no. 97CV608, shall be and is hereby deemed to be a public body and shall be subject to the open meetings law.

Sec. 4. K.S.A. 75-4318 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 26, 2001.)

## HOUSE BILL No. 2015

AN ACT concerning child care facilities; exempting certain residential facilities, hospitals and summer camps from licensure requirements; amending K.S.A. 2000 Supp. 65-501 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2000 Supp. 65-501 is hereby amended to read as follows: 65-501. It shall be unlawful for any person, firm, corporation or association to conduct or maintain a maternity center or a child care facility for children under 16 years of age without having a license or temporary permit therefor from the secretary of health and environment. Nothing in this act shall apply to any state institution maintained and operated by the state:

(a) A residential facility or hospital that is operated and maintained by a state agency as defined in K.S.A. 75-3701 and amendments thereto; or

(b) a summer instructional camp that:

(1) Is operated by a Kansas educational institution as defined in K.S.A. 2000 Supp. 74-32, 120, and amendments thereto, or a postsecondary educational institution as defined in K.S.A. 2000 Supp. 74-3201b, and amendments thereto;

(2) is operated for not more than five weeks;

(3) provides instruction to children, all of whom are 10 years of age and older; and

(4) is accredited by an agency or organization acceptable to the secretary of health and environment.

Sec. 2. K.S.A. 2000 Supp. 65-501 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

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## SENATE BILL No. 128

AN ACT concerning election crimes; prohibiting certain activities and imposing criminal penalties therefore; amending K.S.A. 25-1128, 25-2415 and 25-2430 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Voter registration suppression is knowingly: (1) Destroying any application for voter registration signed by a person pursuant to K.S.A. 25-2309, and amendments thereto, (2) obstructing the delivery of any such signed application to the county election officer or the chief state election official, or (3) failing to deliver any such application to the appropriate county election officer or the chief state election official as required by law.

(b) Voter registration suppression is a severity level 10, nonperson felony.

Sec. 2. K.S.A. 25-2415 is hereby amended to read as follows: 25-2415. (a) Intimidation of voters is: (1) intimidating, threatening, coercing or attempting to intimidate, threaten, or coerce any person for the purpose of interfering with the right of such person to vote or to vote as he may choose, or of causing such person to vote for, or not to vote for, any candidate for any office or question submitted at any election; or

(2) mailing, publishing, broadcasting, telephoning or transmitting by any means false information intended to keep one or more voters from casting a ballot or applying for or returning an advance voting ballot.

(b) Intimidation of voters is a class A misdemeanor severity level 7, nonperson felony.

Sec. 3. K.S.A. 25-2430 is hereby amended to read as follows: 25-2430. (a) Electioneering at polling places is Electioneering is knowingly electioneering on election day attempting to persuade or influence eligible voters to vote for or against a particular candidate, party or question submitted. Electioneering includes wearing, exhibiting or distributing labels, signs, posters, stickers or other materials that clearly identify a candidate in the election or clearly indicate support or opposition to a question submitted election within any polling place on election day or advance voting site during the time period allowed by law for casting a ballot by advance voting or within a radius of two hundred fifty (250) 250 feet from the entrance thereof. As used in this section, electioneering means an attempt to persuade or influence by any means, eligible voters, to vote

for or against a particular candidate, party or question submitted. Electioneering shall not include bumper stickers affixed to a motor vehicle that is used to transport voters to a polling place or to an advance voting site for the purpose of voting.

(b) As used in this section, "advance voting site" means the central county election office or satellite advance voting sites designated as such pursuant to subsection (c) of K.S.A. 25-1122, and amendments thereto.

(c) Electioneering at polling places is a class C misdemeanor.

Sec. 4. K.S.A. 25-1128 is hereby amended to read as follows: 25-1128. (a) No voter shall mark or transmit to the county election officer more than one advance voting ballot, or set of one of each kind of ballot, if the voter is entitled to vote more than one such ballot at a particular election.

(b) Except as provided in K.S.A. 25-1124, and amendments thereto, no person shall interfere with or delay the transmission of any advance voting ballot application from a voter to the county election officer; nor shall any person mail, fax or otherwise cause the application to be sent to a place other than the county election office. Any person or group engaged in the distribution of advance voting ballot applications shall mail, fax or otherwise deliver any application signed by a voter to the county election office within 48 hours two days after such application is signed by the applicant.

(c) Except as otherwise provided by law, no person other than the voter, shall mark, sign or transmit to the county election officer any advance voting ballot or advance voting ballot envelope.

(d) No person, unless authorized by K.S.A. 25-1122 or K.S.A. 25-1124, and amendments thereto, shall intercept, interfere with, or delay the transmission of advance voting ballots from the county election officer to the voter.

(e) No person shall willfully and falsely affirm, declare or subscribe to any material fact in an affirmation form for an advance voting ballot, or set of advance voting ballots if the voter is entitled to vote more than one kind of advance voting ballot at a particular election, or in a declaration form on an advance voting ballot envelope.

(f) Nothing in this section shall be construed to prohibit any person from mailing, carrying or otherwise conveying advance voting ballots or sets of advance voting ballots to the county election officer upon request of advance voting voters.

(g) Violation of any provision of this section is a class C misdemeanor.

Sec. 5. K.S.A. 25-1128, 25-2415 and 25-2430 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

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## Substitute for HOUSE BILL No. 2129

AN ACT concerning certain commissions and councils; relating to the membership thereof; amending K.S.A. 2000 Supp. 74-9201 and 75-7202 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2000 Supp. 74-9201 is hereby amended to read as follows: 74-9201. (a) There is hereby established the Kansas film services commission. The commission shall consist of 19 voting members as follows: (1) One member of the senate appointed by the president of the senate; (2) one member of the senate appointed by the minority leader of the senate; (3) one member of the house of representatives appointed by the speaker of the house of representatives; (4) one member of the house of representatives appointed by the minority leader of the house of representatives; and (5) fifteen members appointed by the governor. One of the members appointed by the governor shall be appointed from each tourism region recognized and designated as a tourism region by the secretary of commerce and housing. All members appointed by the governor shall be appointed for terms of three years, except that of the members first appointed, five shall be appointed for one-year terms, five shall be appointed for two-year terms and five shall be appointed for three-year terms. The governor shall designate the term for which each of the members first appointed shall serve. In addition to the voting members of the commission, six members of the commission shall serve ex officio: The secretary of commerce and housing, the secretary of transportation, the secretary of wildlife and parks, the secretary of health and

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## SENATE BILL No. 56

AN ACT relating to motor vehicles; concerning the operation and registration thereof; amending K.S.A. 8-258 and 8-285 and K.S.A. 2000 Supp. 8-262 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1: (a) Whenever a nonresident or a person who is unlicensed is convicted of any offense or is subject to a juvenile adjudication or an order of the division which would require the revocation or suspension of such person's driving privileges, if the person had been issued a driver's license by the division, such nonresident's privilege to operate a motor vehicle in this state or such unlicensed person's privilege of obtaining a driver's license issued by the division shall be revoked or suspended. Such revocation or suspension shall be for a period of time equal to the period of time that the driver's license of a licensed driver would be revoked or suspended. If the driving privileges of a licensed driver would be restricted by a court or the division, the driving privileges of a nonresident shall be restricted in the same manner. If the driving privileges of a licensed driver would be restricted by a court or the division, an unlicensed driver shall be eligible to apply for a driver's license during the period of restriction, but any license issued shall be subject to the same restrictions which would apply to a licensed driver.

(b) The division is hereby authorized to create a record with an identifying number and other identifying information, including address and date of birth, if known, for any nonresident or unlicensed driver subject to subsection (a). Such record shall include information showing any revocation, suspension or restriction entered under subsection (a) and the reason for such action in the same manner that records are maintained for licensed drivers, pursuant to K.S.A. 8-249, and amendments thereto. If any such person becomes a licensed driver, the information contained in such record shall be included in the person's driving record maintained by the division.

(c) The purpose of this section is to make nonresident and unlicensed drivers subject to the same driving sanctions as licensed residents.

(d) This section shall be part of and supplemental to the motor vehicle drivers' license act, article 2 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 2. (a) On and after January 1, 2002, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Ancient Arabic Order, Nobles of the Mystic Shrine of North America (Shriners) license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The shrine temple to which the person is a member in good standing may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be paid to the shrine temple and shall be used to support the shriners hospitals for children. Any motor vehicle owner or lessee annually may apply to the shrine temple for the use of such logo. Upon annual application and payment to the shrine temple in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the shrine temple shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner

(continued)

environment, the executive director of the Kansas arts commission and the secretary of the state historical society. Each ex officio member of the commission may designate an officer or employee of the state agency of the ex officio member to serve on the commission in place of the ex officio member. The ex officio members of the commission, or their designees, shall be nonvoting members of the commission and shall provide information and advice to the commission. In addition to the voting and ex officio members of the commission, the governor may appoint such number of representatives of the film industry to nonvoting membership on the commission as may be recommended by the secretary of commerce and housing.

(b) Legislative members shall be appointed for terms coinciding with the terms for which such members are elected. ~~All legislative members and members appointed by the governor shall serve without compensation.~~ All members appointed to fill vacancies in the membership of the commission and all members appointed to succeed members appointed to membership on the commission shall be appointed in like manner as that provided for the original appointment of the member succeeded. All members appointed to fill vacancies of a member of the commission appointed by the governor shall be appointed to fill the unexpired term of such member.

(c) The members of the commission shall elect annually a chairperson and vice-chairperson for the commission from among its members. The commission shall meet at least four times each year at the call of the chairperson of the commission. Ten voting members of the commission shall constitute a quorum.

(d) *Members of the commission who are not legislators shall receive mileage, tolls and parking as provided in K.S.A. 75-3223, and amendments thereto, for attendance at any meeting of the commission or any subcommittee meeting authorized by the commission. Legislative members of the commission shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and amendments thereto, for attendance at any meeting of the commission or any subcommittee meeting authorized by the commission.*

Sec. 2. K.S.A. 2000 Supp. 75-7202 is hereby amended to read as follows: 75-7202. (a) There is hereby established the information technology executive council which shall be attached to the department of administration for purposes of administrative functions.

(b) The council shall be composed of 17 voting members as follows: The secretary of administration; two cabinet agency heads; one noncabinet agency head; the director of the budget; the executive chief information technology officer; the legislative chief information technology officer; the judicial chief information technology officer and the judicial administrator of the Kansas supreme court; the executive director of the Kansas board of regents; the commissioner of education; one representative of cities; one representative of counties; the network manager of the information network of Kansas (INK); and three representatives from the private sector who are chief executive officers, or chief information technology officers. The chief information technology architect shall be a nonvoting member of the council. The two cabinet agency heads, the noncabinet agency head, the representative of cities, the representative of counties and the representatives from the private sector shall be appointed by the governor for a term not to exceed 18 months. Upon expiration of an appointed member's term, the member shall continue to hold office until the appointment of a successor. Nonappointed members shall serve *ex officio*.

(c) The secretary of administration shall serve as the chairperson of the council.

(d) The council shall hold meetings and hearings in the city of Topeka or at such other places as the council designates, on call of the chairperson or on request of four or more members.

(e) Members of the council may not appoint an individual to represent them on the council and only members of the council may vote.

(f) ~~Members of the council shall not be eligible for compensation, subsistence allowances, mileage or other expenses.~~ *Members of the council shall receive mileage, tolls and parking as provided in K.S.A. 75-3223, and amendments thereto, for attendance at any meeting of the council or any subcommittee meeting authorized by the council, except that agencies may pay subsistence, mileage and other expenses to their representatives on the council.*

Sec. 3. K.S.A. 2000 Supp. 74-9201 and 75-7202 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

ner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides the annual logo use authorization statement provided for in subsection (b). If such logo use authorization statement is not presented at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(f) The shrine temples of Kansas shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the shrine temples for information concerning the application process or the status of their license plate application.

(g) The shrine temples of Kansas, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

Sec. 3. K.S.A. 8-258 is hereby amended to read as follows: 8-258. Any resident or nonresident, whose license to operate a motor vehicle in this state has been suspended or revoked as provided in this act or whose privilege to obtain a driver's license has been suspended or revoked pursuant to section 1, and amendments thereto, shall not operate a motor vehicle in this state under a license, permit, or registration certificate issued by any other jurisdiction or otherwise during such suspension or after such revocation until a new license is obtained when and as permitted under this act.

Sec. 4. K.S.A. 2000 Supp. 8-262 is hereby amended to read as follows: 8-262. (a) (1) Any person who drives a motor vehicle on any highway of this state at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to section 1, and amendments thereto, shall be guilty of a: (A) Class B nonperson misdemeanor on the first conviction; and (B) class A nonperson misdemeanor on the second conviction or subsequent conviction.

(2) No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257, and amendments thereto, to the return of such person's driver's license or was, at the time of arrest, eligible under K.S.A. 8-256, and amendments thereto, to apply for a new license to operate a motor vehicle.

(3) Except as otherwise provided by subsection (a)(4), every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least \$100 and upon a second or subsequent conviction shall not be eligible for parole until completion of five days' imprisonment.

(4) If a person: (A) Is convicted of a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for a violation of K.S.A. 8-1567, and amendments thereto, or any ordinance of any city or a law of another state, which ordinance or law prohibits the acts prohibited by that statute; and (B) is or has been also convicted of a violation of K.S.A. 8-1567, and amendments thereto, or of a municipal ordinance or law of another state, which ordinance or law prohibits the acts prohibited by that statute, committed while the person's privilege to drive or privilege to obtain a driver's license was so suspended or revoked, the person shall not be eligible for suspension of sentence, probation or parole until the person has served at least 90 days' imprisonment, and any fine imposed on such person shall be in addition to such a term of imprisonment.

(b) The division, upon receiving a record of the conviction of any person under this section, or any ordinance of any city or a law of another state which is in substantial conformity with this section, upon a charge of driving a vehicle while the license of such person is revoked or suspended, shall extend the period of such suspension or revocation for an additional period of 90 days.

(c) In addition to extension of the period of suspension or revocation under subsection (b), if the conviction is for a violation committed after June 30, 1994, and before July 1, 1996, and committed while the person's driving privileges are suspended pursuant to K.S.A. 8-1014, and amendments thereto, the division, upon completion of the extended period of suspension, shall restrict the person's driving privileges for an additional 120 days to driving only a motor vehicle equipped with an ignition interlock device, as defined by K.S.A. 8-1013, and amendments thereto, approved by the division and obtained, installed and maintained at the person's expense.

On or before February 1, 1996, the division shall report to the legis-

lature regarding the use of the provisions of this subsection and making recommendations concerning continuation or modification of such provisions.

(d) For the purposes of determining whether a conviction is a first, second or subsequent conviction in sentencing under this section, "conviction" includes a conviction of a violation of any ordinance of any city or a law of another state which is in substantial conformity with this section.

Sec. 5. K.S.A. 8-285 is hereby amended to read as follows: 8-285. Except as otherwise provided in this section, as used in this act, the words and phrases defined in K.S.A. 8-234a, and amendments thereto, shall have the meanings ascribed to them therein. The term "habitual violator" means any resident or nonresident person who, within the immediately preceding five years, has been convicted in this or any other state:

(a) Three or more times of:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, and amendments thereto, or as prohibited by any ordinance of any city in this state or any law of another state which is in substantial conformity with that statute;

(2) violating K.S.A. 8-1567, and amendments thereto, or violating an ordinance of any city in this state or any law of another state, which ordinance or law declares to be unlawful the acts prohibited by that statute;

(3) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to section 1, and amendments thereto, or, as prohibited by any ordinance of any city in this state or any law of another state which is in substantial conformity with that statute those statutes;

(4) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(5) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications, or violating the provisions of a law of another state which is in substantial conformity with that statute;

(6) any crime punishable as a felony, if a motor vehicle was used in the perpetration of the crime;

(7) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602 through 8-1604, and amendments thereto, or required by any ordinance of any city in this state or a law of another state which is in substantial conformity with those statutes; or

(8) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage or an ordinance of any city in this state, which is in substantial conformity with such statute.

(b) Three or more times, either singly or in combination, of any of the offenses enumerated in subsection (a).

For the purpose of subsection (a)(2), in addition to the definition of "conviction" otherwise provided by law, conviction includes, but is not limited to, a diversion agreement entered into in lieu of further criminal proceedings, or a plea of *nolo contendere*, on a complaint, indictment, information, citation or notice to appear alleging a violation of K.S.A. 8-1567, and amendments thereto, or an ordinance of a city in this state or law of another state, which ordinance or law prohibits the acts prohibited by that statute.

Sec. 6. K.S.A. 8-258 and 8-285 and K.S.A. 2000 Supp. 8-262 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 26, 2001.)

## Substitute for HOUSE BILL No. 2005

AN ACT concerning tax increment financing; reorganization thereof; amending K.S.A. 12-1772 and 12-17,104 and K.S.A. 2000 Supp. 12-1770, 12-1770a, 12-1771, 12-1771a, 12-1771b, 12-1771d, 12-1773, 12-1774, 12-1774a, 12-1775, 12-1776, 19-101a, 74-5093, 79-3620, as amended by section 460 of 2001 Senate Bill No. 15, 79-3620b and 79-3710, as amended by section 461 of 2001 Senate Bill No. 15, and repealing the existing sections; also repealing K.S.A. 2000 Supp. 12-1771c and 12-1774b.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2000 Supp. 12-1770 is hereby amended to read as follows: 12-1770. It is hereby declared to be the purpose of this act to promote, stimulate and develop the general and economic welfare of the state of Kansas and its communities and to assist in the development and redevelopment of blighted areas and deteriorating areas which are not yet blighted, but may be so in the future located within cities, environmentally contaminated areas located within and without cities, enterprise zones located within cities and major tourism areas as defined in subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, thus eligible areas within and without a city thereby promoting the general welfare of the citizens of this state, by authorizing cities to acquire certain property and to issue special obligation bonds and full faith and credit tax increment bonds for the financing of redevelopment projects. It is further found and declared that the powers conferred by this act are for public uses and purposes for which public money may be expended and the power of eminent domain exercised. The necessity in the public interest for the provisions of this act is hereby declared as a matter of legislative determination.

Sec. 2. K.S.A. 2000 Supp. 12-1770a is hereby amended to read as follows: 12-1770a. For purposes of K.S.A. 12-1770 et seq. and amendments thereto:

(a) "Historic theater" means a building constructed prior to 1940 which was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation officer as eligible to be on the Kansas register of historic places or is a member of the Kansas historic theatre association;

(b) "sales tax increment" means the amount of state and local sales tax revenue imposed pursuant to K.S.A. 12-187 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within the historic theater that is in excess of the amount of such taxes collected prior to the designation of the building as a historic theater for purposes of this act. As used in this act, unless the context clearly shows otherwise:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Base year assessed valuation" means the assessed valuation of all real property within the boundaries of a redevelopment district on the date the redevelopment district was established.

(c) "Blighted area" means an area which:

(1) Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:

- (A) A substantial number of deteriorated or deteriorating structures;
- (B) predominance of defective or inadequate street layout;
- (C) unsanitary or unsafe conditions;
- (D) deterioration of site improvements;
- (E) tax or special assessment delinquency exceeding the fair market value of the real property;

(F) defective or unusual conditions of title including but not limited to cloudy or defective titles, multiple or unknown ownership interests to the property;

(G) improper subdivision or obsolete platting or land uses;

(H) the existence of conditions which endanger life or property by fire or other causes; or

(I) conditions which create economic obsolescence; or

(2) has been identified by any state or federal environmental agency

as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action; or

(3) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 et seq., and amendments thereto.

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;
- (2) illegal use of individual structures;
- (3) the presence of structures below minimum code standards;
- (4) building abandonment;
- (5) excessive vacancies;
- (6) overcrowding of structures and community facilities; or
- (7) inadequate utilities and infrastructure.

(e) "De minimus" means an amount less than 15% of the land area within a redevelopment district.

(f) "Developer" means any person, firm, corporation, partnership or limited liability company, other than a city.

(g) "Eligible area" means a blighted area, conservation area, enterprise zone, historic theater or major tourism area.

(h) "Enterprise zone" means an area within a city that was designated as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, and amendments thereto, prior to its repeal and the conservation, development or redevelopment of the area is necessary to promote the general and economic welfare of such city.

(i) "Environmental increment" means the increment determined pursuant to subsection (b) of K.S.A. 12-1771a, and amendments thereto.

(j) "Environmentally contaminated area" means an area of land having contaminated groundwater or soil which is deemed environmentally contaminated by the department of health and environment or the United States environmental protection agency.

(k) "Feasibility study" means a study which shows whether a redevelopment project's benefits and tax increment revenue and other available revenues under K.S.A. 12-1774 (a)(1) are expected to exceed or be sufficient to pay for the redevelopment project costs.

(l) "Historic theater" means a building constructed prior to 1940 which was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation officer as eligible to be on the Kansas register of historic places or is a member of the Kansas historic theatre association.

(m) "Historic theater sales tax increment" means the amount of state and local sales tax revenue imposed pursuant to K.S.A. 12-187 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within the historic theater that is in excess of the amount of such taxes collected prior to the designation of the building as a historic theater for purposes of this act.

(n) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than \$100,000,000 will be built in the state to construct an auto race track facility.

(o) "Real property taxes" means all taxes levied on an ad valorem basis upon land and improvements thereon.

(p) "Redevelopment project area" or "project area" means an area designated by a city within a redevelopment district.

(q) "Redevelopment project costs" means those costs necessary to implement a redevelopment plan, including, but not limited to costs incurred for:

- (1) Acquisition of property within the redevelopment project area;
- (2) payment of relocation assistance;
- (3) site preparation including utility relocations;
- (4) sanitary and storm sewers and lift stations;
- (5) drainage conduits, channels and levees;
- (6) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;
- (7) street light fixtures, connection and facilities;
- (8) underground gas, water, heating and electrical services and connections located within the public right-of-way;
- (9) sidewalks and pedestrian underpasses or overpasses;

(continued)



- (10) drives and driveway approaches located within the public right-of-way;
- (11) water mains and extensions;
- (12) plazas and arcades;
- (13) parking facilities;
- (14) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities; and
- (15) all related expenses to redevelop and finance the redevelopment project.

Redevelopment project costs shall not include costs incurred in connection with the construction of buildings or other structures to be owned by or leased to a developer, however, the "redevelopment project costs" shall include costs incurred in connection with the construction of buildings or other structures to be owned or leased to a developer which includes an auto race track facility or is in a redevelopment district including some or all of the land and buildings comprising a state mental institution closed pursuant to section 2 of chapter 219 of the 1995 Session Laws of Kansas.

(r) "Redevelopment district" means the specific area declared to be an eligible area in which the city may develop one or more redevelopment projects.

(s) "Redevelopment district plan" or "district plan" means the preliminary plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each redevelopment project area.

(t) "Redevelopment project" means the approved project to implement a project plan for the development of the established redevelopment district.

(u) "Redevelopment project plan" or "project plan" means the plan adopted by a municipality for the development of a redevelopment project or projects which conforms with K.S.A. 12-1772, and amendments thereto, in a redevelopment district.

(v) "Secretary" means the secretary of commerce and housing.

(w) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the district plan or project plan was approved.

(x) "Tax increment" means that amount of real property taxes collected from real property located within the redevelopment district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(y) "Taxing subdivision" means the county, city, unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district.

Sec. 3. K.S.A. 2000 Supp. 12-1771 is hereby amended to read as follows: 12-1771. (a) No city shall exercise any of the powers conferred by K.S.A. 12-1770 *et seq.*, and amendments thereto, unless the governing body of such city has adopted a resolution finding that the specific project area sought to be redeveloped is a blighted area, a conservation area, a major tourism area as defined in K.S.A. 12-1774, and amendments thereto, a historic theater as defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, or was designated prior to July 1, 1992, as an enterprise zone pursuant to K.S.A. 12-17-110 prior to its repeal, and the conservation, development or redevelopment of such area is necessary to promote the general and economic welfare of such city. Enterprise zones designated prior to July 1, 1992, may be enlarged by the city to an area not exceeding 25% of the city's land area upon a finding by the secretary of the department of commerce and housing that a redevelopment project proposed by the city which requires the enlargement is of statewide importance and that it will meet the criteria specified in subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto. A unified government, established pursuant to K.S.A. 12-340 *et seq.*, and amendments thereto, may enlarge an enterprise zone, established within its jurisdiction prior to July 1, 1992, to an area not exceeding 200% of the area of the original enterprise zone regardless of whether such enlargement crosses the boundary of a city within the jurisdiction of the unified government if the secretary of commerce and housing makes the same findings required for enlargement of an enterprise zone by a city. For the purpose of this subsection, the term "blighted area" means an area which: (1) Because of the presence of a majority of the following factors, substantially impairs or arrests the sound development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health,

safety, morals or welfare in its present condition and use: (A) A substantial number of deteriorated or deteriorating structures; (B) predominance of defective or inadequate street layout; (C) unsanitary or unsafe conditions; (D) deterioration of site improvements; (E) diversity of ownership; (F) tax or special assessment delinquency exceeding the fair value of the land; (G) defective or unusual conditions of title; (H) improper subdivision or obsolete platting or land uses; (I) the existence of conditions which endanger life or property by fire and other causes; or (J) conditions which create economic obsolescence, or (2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation, feasibility study and remediation or other similar state or federal action; or (3) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 *et seq.*, and amendments thereto.

For the purpose of this subsection, conservation area means any improved area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors: (i) Dilapidation, obsolescence or deterioration of the structures; (ii) illegal use of individual structures; (iii) the presence of structures below minimum code standards; (iv) building abandonment; (v) excessive vacancies; (vi) overcrowding of structures and community facilities; or (vii) inadequate utilities and infrastructure. Not more than 15% of the land area of a city may be found to be a conservation area.

(b) The powers conferred upon cities under the provisions of K.S.A. 12-1770 *et seq.*, and amendments thereto, shall be exercised by cities, as determined by resolution adopted pursuant to K.S.A. 12-1772, and amendments thereto, (1) in enterprise zones designated prior to July 1, 1992, including any area added to such enterprise zone after July 1, 1992, pursuant to subsection (a), (2) in blighted areas of cities and counties described by subsection (a)(2), (3) in conservation areas of cities, (4) in major tourism areas as defined in K.S.A. 12-1774 and amendments thereto (5) in blighted areas of cities, as determined by resolution adopted pursuant to K.S.A. 17-4742 *et seq.*, and amendments thereto or (6) for buildings designated as historic theaters pursuant to K.S.A. 2000 Supp. 12-1771d.

(c) Within that portion of the city described in subsection (b), the governing body of a city may establish a district to be known as a "redevelopment district". Within that portion of a city and county described in subsection (b) excluding paragraph (3) of subsection (b), the governing body of the city, upon written consent of the board of county commissioners, may establish a district inclusive of land outside the boundaries of the city to be known as a redevelopment district. In all such cases, the board of county commissioners, prior to providing written consent, shall be subject to the same procedure for public notice and hearing as is required of a city pursuant to subsection (d) for the establishment of a redevelopment district. One or more redevelopment projects may be undertaken by a city within a redevelopment district after such redevelopment district has been established in the manner provided by subsection (d).

(d) (a) *Resolution procedure for a redevelopment district.* Any city proposing to establish a redevelopment district within an eligible area shall adopt a resolution stating that the city is considering the establishment of a redevelopment district. Such resolution shall:

(1) Give notice that a public hearing will be held to consider the establishment of a redevelopment district and fix the date, hour and place of such public hearing;

(2) describe the proposed boundaries of the redevelopment district;

(3) describe a proposed comprehensive plan that identifies all of the proposed redevelopment project areas and that identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each redevelopment project area the district plan;

(4) state that a description and map of the proposed redevelopment district are available for inspection at a time and place designated;

(5) state that the governing body will consider findings necessary for the establishment of a redevelopment district.

Notice shall be given as provided in subsection (e) (b) of K.S.A. 12-1772, and amendments thereto.

(e) Upon the conclusion of the public hearing, the governing body may adopt a resolution to make any findings required by subsection (a) and may establish the redevelopment district by ordinance. Such resolution shall contain a comprehensive plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all



of the buildings and facilities that are proposed to be constructed or improved in each redevelopment project area. The boundaries of such district shall not include any area not designated in the notice required by subsection (d). Subject to the provisions of K.S.A. 2000 Supp. 12-1771e, and amendments thereto, any addition of area to the redevelopment district or any substantial change to the comprehensive plan shall be subject to the same procedure for public notice and hearing as is required for the establishment of the district. The boundaries of any such district in a major tourism area including an auto race track facility located in Wyandotte county, shall, without regard to that portion of the district pertaining to the auto race track facility, be as follows: Beginning at the intersection of Interstate 70 and Interstate 435, West along Interstate 70 to 118th Street, North along 118th Street to State Avenue, Northeastly along proposed relocated State Avenue to 110th Street, North along 110th Street to Parallel Parkway, East along Parallel Parkway to Interstate 435, South along Interstate 435 to Interstate 70.

(b) *Posthearing procedure.* Upon the conclusion of the public hearing, the governing body may pass an ordinance. Such ordinance shall: (1) Make a finding that: (A) The redevelopment district proposed to be developed is an eligible area; and (B) the conservation, development or redevelopment of such area is necessary to promote the general and economic welfare of the city; (2) contain the district plan as approved; and (3) contain the legal description of the redevelopment district and may establish the redevelopment district. Such ordinance shall contain a district plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each redevelopment project area. The boundaries of such district shall not include any area not designated in the notice required by subsection (a).

(c) The governing body of a city may establish a redevelopment district within that city. Such city may establish a district inclusive of land outside the boundaries of the city upon written consent of the board of county commissioners. Prior to providing written consent, the board of county commissioners shall be subject to the same procedure for public notice and hearing as is required of a city pursuant to subsection (a) for the establishment of a redevelopment district. One or more redevelopment projects may be undertaken by a city within a redevelopment district after such redevelopment district has been established in the manner provided by this section.

(d) No privately owned property subject to ad valorem taxes shall be acquired and redeveloped under the provisions of K.S.A. 12-1770 *et seq.*, and amendments thereto, if the board of county commissioners or the board of education levying taxes on such property determines by resolution adopted within 30 days following the conclusion of the hearing for the establishment of the redevelopment district required by subsection (b) that the proposed redevelopment district will have an adverse effect on such county or school district. The board of county commissioners or board of education shall deliver a copy of such resolution to the city. The city shall within 30 days of receipt of such resolution pass an ordinance terminating the redevelopment district.

(e) Any redevelopment plan undertaken within the redevelopment district may be in separate development stages. Each plan shall be adopted according to the provisions of K.S.A. 12-1772, and amendments thereto, and shall fix a date for completion. Except as provided herein, any project shall be completed within 20 years from the date of transmittal of the redevelopment plan or a revision of the plan, as authorized by K.S.A. 2000 Supp. 12-1771e, and amendments thereto, to the county pursuant to K.S.A. 12-1776, and amendments thereto. Projects relating to environmental investigation and remediation under subsection (i) shall be completed within 20 years from the date a city enters into a consent decree agreement with the Kansas department of health and environment or the United States environmental protection agency. A redevelopment project in a major tourism area for an auto race track facility described in subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, shall be completed within 30 years from the date the secretary of commerce and housing makes the finding that the redevelopment project will create a major tourism area pursuant to subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto.

(f) Any increment in ad valorem property taxes resulting from a redevelopment district undertaken in accordance with the provisions of this act, shall be apportioned to a special fund for the payment of the cost of the redevelopment project, including the payment of principal and interest on any special obligation bonds or full faith and credit tax increment bonds issued to finance such project pursuant to this act and may be

pledged to the payment of principal and interest on such bonds. The maximum maturity on bonds issued to finance projects pursuant to this act shall not exceed 20 years except that: (1) Such maximum period of special obligation bonds not payable from revenues described by subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, issued to finance an auto race track facility shall not exceed 30 years; and (2) such maximum period, if the governor determines and makes and submits a finding to the speaker of the house of representatives and the president of the senate that a maturity greater than 20 years, but in no event exceeding 30 years, is necessary for the economic feasibility of the financing of an auto race track facility with special obligation bonds payable primarily from revenues described by subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, may be extended in accordance with such determination and finding.

For the purposes of this act, "increment" means that amount of ad valorem taxes collected from real property located within the redevelopment district that is in excess of the amount which is produced from such property and attributable to the assessed valuation of such property prior to the date the redevelopment plan or revision of the plan, as authorized by K.S.A. 2000 Supp. 12-1771e, and amendments thereto, is transmitted to the county pursuant to K.S.A. 12-1776, and amendments thereto.

(i) The governing body of a city, in contracts entered into with the Kansas department of health and environment or the United States environmental protection agency, may pledge increments receivable in future years to pay costs directly relating to the investigation and remediation of environmentally contaminated areas. The provisions in such contracts pertaining to pledging increments in future years shall not be subject to K.S.A. 10-1101 *et seq.* or 70-2025 *et seq.*, and amendments thereto.

(j) Before any redevelopment project is undertaken, a comprehensive feasibility study, which shows the benefits derived from such project will exceed the costs and that the income therefrom will be sufficient to pay for the project shall be prepared. Such feasibility study shall be an open public record.

(k) If a city determines that revenues from sources other than property taxes will be sufficient to pay any special obligation bonds issued to finance a redevelopment project for an auto race track facility described in subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, which the secretary of commerce and housing makes a finding that such project will create a major tourism area pursuant to subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, all real and personal property, constituting an auto race track facility described in subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, in such redevelopment district shall be exempt from property taxation for a period ending on the earlier of (1) the date which is 30 years after the date of the finding by the secretary of commerce and housing with respect to such major tourism area; or (2) the date on which no such special obligation bonds issued to finance such auto race track facility in a major tourism area remain outstanding.

(l) Any major tourism area may include an additional area not exceeding 400 acres of additional property, excluding roads and highways, in addition to the property necessary for the auto race track facility upon a finding by the governor that the development plan and each project within such additional area will enhance the major tourism area. For the development of each project within such additional area the city shall select qualified developers pursuant to a request for proposals in accordance with written official procedures approved by the governing body of the city. Any project within such additional area that is financed in whole or in part by special obligation bonds payable from revenues derived from subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, shall not be entitled to any real property tax abatements or the revenues described in K.S.A. 12-1775, and amendments thereto. Any project within such additional area must be approved by the governor and construction must be commenced by July 1, 2002. The city shall prepare and submit annually to the governor, the secretary of commerce and housing and the legislature by each October 1, commencing October 1, 1999 and continuing until October 1, 2002, a report describing the status of any projects within such additional area. Any business located in Kansas within 50 miles of a major tourism area that relocates into a major tourism area shall not receive any of the benefits of K.S.A. 12-1770 *et seq.*, and amendments thereto.

(e) *Addition to area; substantial change.* Any addition of area to the

(continued)

redevelopment district or any substantial change as defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to the district plan shall be subject to the same procedure for public notice and hearing as is required for the establishment of the district.

(f) Any addition of any area to the redevelopment district shall be subject to the same procedure for public notice and hearing as is required for the establishment of the redevelopment district. The base year assessed valuation of the redevelopment district following the addition of area shall be revised to reflect the base year assessed valuation of the original area and the added area as of the date of the original establishment of the redevelopment district.

(g) A city may remove real property from a redevelopment district by an ordinance of the governing body. If more than a de minimus amount of real property is removed from a redevelopment district, the base year assessed valuation of the redevelopment district shall be revised to reflect the base year assessed valuation of the remaining real property as of the date of the original establishment of the redevelopment district.

(h) A city may divide the real property in a redevelopment district, including real property in different redevelopment project areas within a redevelopment district, into separate redevelopment districts. The base year assessed valuation of each resulting redevelopment district following such division of real property shall be revised to reflect the base year assessed valuation of the area of each resulting redevelopment district as of the date of the original establishment of the redevelopment district. Any division of real property within a redevelopment district into more than one redevelopment district shall be subject to the same procedure or public notice and hearing as is required for the establishment of the redevelopment district.

(i) If a city has undertaken a redevelopment project within a redevelopment district, and either the city wishes to subsequently remove more than a de minimus amount of real property from the redevelopment district or the city wishes to subsequently divide the real property in the redevelopment district into more than one redevelopment district, then prior to any such removal or division the city must provide a feasibility study which shows that the tax increment revenue from the resulting redevelopment district within which the redevelopment project is located is expected to be sufficient to pay the redevelopment project costs.

(j) Removal of real property from one redevelopment district and addition of all or a portion of that real property to another redevelopment district may be accomplished by the adoption of an ordinance and in such event the determination of the existence or nonexistence of an adverse effect on the county or school district under subsection (d) shall apply to both such removal and such addition of real property to a redevelopment district.

Sec. 4. K.S.A. 2000 Supp. 12-1771a is hereby amended to read as follows: 12-1771a. (a) The governing body of a city may establish an increment in ad valorem taxes, using the procedure set forth in subsection (b) for projects that are initiated upon a finding that the area is a blighted area under subsection (a)(2) of K.S.A. 12-1771 as defined under K.S.A. 2000 Supp. 12-1770a, and amendments thereto, when the following conditions exist:

(1) The proposed district has been identified by the Kansas department of health and environment or the United States environmental protection agency to be an environmentally contaminated area;

(2) the city has entered into a consent decree or settlement agreement or has taken action expressing an intent to enter into a consent decree or settlement agreement with the Kansas department of health and environment or the United States environmental protection agency that addresses the investigation and remediation of the environmental contamination;

(3) the consent decree or settlement agreement contains a provision that has the effect of releasing property owners who are not responsible for the contamination from the responsibility of paying the response costs of the investigation and remediation of the contamination; and

(4) the city intends to establish a redevelopment district pursuant to K.S.A. 12-1771, and amendments thereto, to wholly finance or partially finance the investigation and remediation of contamination within such district.

(b) An environmental increment established after a city has found that the condition in subsection (a)(2) of K.S.A. 12-1771 conditions described in subsection (c) of K.S.A. 2000 Supp. 12-1770a, and amendments thereto, exists shall be set on a yearly basis. For purposes of this section, a yearly basis shall be a calendar year. Each year's increment shall be an

amount sufficient to pay the direct costs of investigation and remediation of the contaminated condition anticipated to be incurred that year including principal and interest due on any special obligation bonds or full faith and credit tax increment bonds issued to finance in whole or in part the remediation and investigation, costs relating to remediation investigation and feasibility studies, operation and maintenance expenses and other expenses relating directly to the investigation and remediation of contamination. Each year's environmental increment shall not exceed 20% of the amount of taxes that are produced by all taxing subdivisions within any currently existing or subsequently created redevelopment district area in the year the redevelopment district is first established, notwithstanding that such subdivision was not required to receive notice of the establishment of the district.

(c) The budget that establishes the yearly environmental increment shall be certified by the city to the county clerk and county treasurer no later than August 25th, preceding the calendar year for which the budget is being set. Funds derived from an environmental increment established by this section and interest on all funds derived from an environmental increment established by this section may be used only for projects involving the investigation and remediation of contamination in the district.

(d) The real property taxes produced by the environmental increment established under subsection (b) from a redevelopment district established under the provisions of K.S.A. 12-1771, and amendments thereto, and this section shall be allocated and paid by the county treasurer to the treasurer of the city and deposited in a special separate fund of the city to pay the direct cost of investigation and remediation of contamination in the redevelopment district. Any funds collected by the city from parties determined to be responsible in any manner for the contaminated condition shall be either: (1) Deposited in the same separate special fund created hereunder, and with all interest earned thereon, may be used only for projects involving the investigation and remediation of contamination in the established redevelopment district; or (2) distributed to parties who have entered into a contract with the city to pay a portion of investigation and remediation of the contamination in the redevelopment district and the terms of such contract provide that such parties are entitled to reimbursement for a portion of funds they have expended for such investigation and remediation of contamination from the recovery of costs that are collected from other third party responsible parties.

(e) A redevelopment district created under the provisions of this section shall constitute a separate taxing district. If all costs for such investigation and remediation of contamination in the redevelopment district have been paid and moneys remain in the special fund, such moneys shall be remitted to each taxing subdivision which paid moneys into the special fund on the basis of the proportion which the total amount of moneys paid by such taxing subdivision into the special fund bears to the total amount of all moneys paid by all taxing subdivisions into the fund.

(f) Nothing in this section shall prevent any city from establishing a redevelopment district for other purposes pursuant to K.S.A. 12-1770 et seq., and amendments thereto, which may include part or all of the real property included in the district established under this section.

(g) Redevelopment projects relating to environmental investigation and remediation under this section, and amendments thereto, shall be completed within 20 years from the date a city enters into a consent decree agreement with the Kansas department of health and environment or the United States environmental protection agency.

(h) Nothing in this section shall be construed to affect the obligations of the county to annually review the fair market value of property in accordance with procedures set by law or to affect the right of any taxpayer to protest and appeal the appraised or reappraised value of their property in accordance with procedures set forth by law.

(i) Commencing with the regular session of the legislature in 1993, each city that establishes a redevelopment district under this section shall make a status report on a biennial basis to the standing committee on commerce of the senate and the standing committee on economic development of the house of representatives during the month of January. The status report shall contain information on the status of the investigation and remediation of contamination in the redevelopment district.

(j) For the purposes of this act, the governing body of a city, in contracts entered into with the Kansas department of health and environment or the United States environmental protection agency, may pledge increments receivable in future years to pay costs directly relating to the investigation and remediation of environmentally contaminated areas. The provisions in such contracts pertaining to pledging increments in future

years shall not be subject to K.S.A. 10-1101 et seq. or 79-2925 et seq., and amendments thereto.

Sec. 5. K.S.A. 2000 Supp. 12-1771d is hereby amended to read as follows: 12-1771d. The governing body of any municipality may designate a building within such municipality to be a historic theater if the governing body of the municipality and the secretary of commerce and housing agree that the building satisfies the requirements of subsection (a) (i) of K.S.A. 2000 Supp. 12-1770a, and amendments thereto, and will contribute significantly to the economic development of the city and surrounding area.

Sec. 6. K.S.A. 2000 Supp. 12-1771b is hereby amended to read as follows: 12-1771b. ~~No individual, firm, partnership, association, corporation or any other entity shall establish or operate any lottery within that portion of any redevelopment district occupied by a redevelopment project that has been found to be of statewide as well as local importance and to meet the other criteria specified in K.S.A. 12-1774 (a)(1)(D).~~ (a) The boundaries of any redevelopment district in a major tourism area including an auto race track facility located in Wyandotte county, shall, without regard to that portion of the district pertaining to the auto race track facility, be as follows: Beginning at the intersection of Interstate 70 and Interstate 435; West along Interstate 70 to 118th Street; North along 118th Street to State Avenue; Northeastly along proposed relocated State Avenue to 110th Street; North along 110th Street to Parallel Parkway; East along Parallel Parkway to Interstate 435; South along Interstate 435 to Interstate 70.

(b) Any major tourism area may include an additional area not exceeding 400 acres of additional property, excluding roads and highways, in addition to the property necessary for the auto race track facility upon a finding by the governor that the development plan and each project within such additional area will enhance the major tourism area. For the development of each project within such additional area the city shall select qualified developers pursuant to a request for proposals in accordance with written official procedures approved by the governing body of the city. Any project within such additional area that is financed in whole or in part by special obligation bonds payable from revenues derived from subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, shall not be entitled to any real property tax abatements or the revenues described in K.S.A. 12-1775, and amendments thereto. Any project within such additional area must be approved by the governor and construction must be commenced by July 1, 2002. The city shall prepare and submit annually to the governor, the secretary of commerce and housing and the legislature by each October 1, commencing October 1, 1999, and continuing until October 1, 2002, a report describing the status of any projects within such additional area. Any business located in Kansas within 50 miles of a major tourism area that relocates into a major tourism area shall not receive any of the benefits of K.S.A. 12-1770 et seq., and amendments thereto.

(c) If a city determines that revenues from sources other than property taxes will be sufficient to pay any special obligation bonds issued to finance a redevelopment project for an auto race track facility as described in subsection (a) of K.S.A. 2000 Supp. 12-1770a, and amendments thereto, and the secretary of commerce and housing makes a finding that such project will create a major tourism area pursuant to subsection (n) of K.S.A. 2000 Supp. 12-1770a, and amendments thereto, all real and personal property, constituting an auto race track facility described in subsection (a) of K.S.A. 2000 Supp. 12-1770a, and amendments thereto, in such redevelopment district shall be exempt from property taxation for a period ending on the earlier of (1) the date which is 30 years after the date of the finding by the secretary of commerce and housing with respect to such major tourism area; or (2) the date on which no such special obligation bonds issued to finance such auto race track facility in a major tourism area remain outstanding.

(d) The city which is authorized to issue bonds pursuant to the provisions of K.S.A. 12-1770 et seq. in order to finance a redevelopment project in a major tourism area as defined by K.S.A. 2000 Supp. 12-1770a, and amendments thereto, shall obtain underwriting services required by the city for the issuance of such bonds pursuant to written proposals received in accordance with this section.

(e) Each city which is authorized to issue such bonds shall establish written official procedures for obtaining underwriting services required for the issuance of such bonds, including specifications for requests for proposals and criteria for evaluation of proposals on a competitive basis. The proposal evaluation criteria shall include factors based on cost, capacity to provide the required services, qualifications and experience.

(f) Prior to the issuance of any such bonds to finance a redevelopment

project in a major tourism area after the effective date of this act, the city shall publish notice of a request for proposals to provide the underwriting services that are required by the city with regard to the proposed bond issuance and shall mail requests for proposals to qualified interested parties upon request for such notice. The city shall award contracts for such underwriting services from the proposals received in accordance with the procedures and evaluation criteria adopted by the city for such purpose. A city shall publish such notice in the official newspaper of the city.

(g) A redevelopment project in a major tourism area for an auto race track facility, shall be completed within 30 years from the date the secretary makes the finding that the redevelopment project will create a major tourism area pursuant to subsection (n) of K.S.A. 2000 Supp. 12-1770a, and amendments thereto.

(h) The maximum maturity on bonds issued to finance projects pursuant to this act shall not exceed 20 years except that: (1) Such maximum period of special obligation bonds not payable from revenues described by subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, issued to finance an auto race track facility shall not exceed 30 years; and (2) such maximum period, if the governor determines and makes and submits a finding to the speaker of the house of representatives and the president of the senate that a maturity greater than 20 years, but in no event exceeding 30 years, is necessary for the economic feasibility of the financing of an auto race track facility with special obligation bonds payable primarily from revenues described by subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, may be extended in accordance with such determination and finding.

Sec. 7. K.S.A. 12-1772 is hereby amended to read as follows: 12-1772. (a) Any city proposing to undertake a redevelopment project within a redevelopment district established pursuant to K.S.A. 12-1771, and amendments thereto, shall prepare a redevelopment plan in consultation with the planning commission of the city. The redevelopment plan shall include: (1) A summary of the feasibility study required by K.S.A. 12-1771, and amendments thereto; (2) a reference to the redevelopment district plan established under K.S.A. 12-1771, and amendments thereto; that identifies the redevelopment project area that is set forth in the comprehensive plan that is being considered; (3) a description and map of the area to be redeveloped; (4) the relocation assistance plan required by K.S.A. 12-1777, and amendments thereto; (5) a detailed description of the buildings and facilities proposed to be constructed or improved in such area; and (6) any other information the governing body deems necessary to advise the public of the intent of the plan. A copy of the redevelopment plan shall be delivered to the board of county commissioners of the county and the board of education of any school district levying taxes on property within the proposed redevelopment project area. Upon a finding by the planning commission that the redevelopment plan is consistent with the comprehensive general plan for the development of the city, the governing body of the city shall adopt a resolution stating that the city is considering the adoption of the plan. Such resolution shall:

(1) Give notice that a public hearing will be held to consider the adoption of the redevelopment plan and fix the date, hour and place of such public hearing;

(2) describe the boundaries of the redevelopment district within which the redevelopment project will be located and the date of establishment of such district;

(3) describe the boundaries of the area proposed to be included within the redevelopment project area; and

(4) state that the redevelopment plan, including a summary of the feasibility study, relocation assistance plan and financial guarantees of the prospective developer and a description and map of the area to be redeveloped are available for inspection during regular office hours in the office of the city clerk.

Except as provided in paragraph (3) of subsection (b) of K.S.A. 12-1774, and amendments thereto, if the governing body determines that it may issue full faith and credit tax increment bonds to finance the redevelopment project, in whole or in part, the resolution also shall include notice thereof:

(b) The date fixed for the public hearing shall be not less than 30 or more than 70 days following the date of the adoption of the resolution fixing the date of the hearing.

(c) A copy of the resolution providing for the public hearing shall be delivered to the board of county commissioners of the county and the board of education of any school district levying taxes on property within

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the proposed redevelopment project area. Copies also shall be mailed by certified mail to each owner and occupant of land within the proposed redevelopment project area not more than 10 days following the date of the adoption of the resolution. The resolution shall be published once in the official city newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the area in sufficient detail to advise the reader of the particular land proposed to be included within the project area shall be published with the resolution.

(d) At the public hearing, a representative of the city shall present the city's proposed redevelopment plan. Following the presentation of the plan, all interested persons shall be given an opportunity to be heard. The governing body for good cause shown may recess such hearing to a time and date certain, which shall be fixed in the presence of persons in attendance at the hearing.

(e) Following the public hearing, the governing body may adopt the redevelopment plan by ordinance passed upon a  $\frac{2}{3}$  vote. Any substantial changes to the plan as adopted shall be subject to public hearing following publication of notice thereof at least twice in the official city newspaper.

(a) *Redevelopment projects.* One or more redevelopment projects may be undertaken by a city within an established redevelopment district. Any such project plan may be implemented in separate development stages. Any city proposing to undertake a redevelopment project within a redevelopment district established pursuant to K.S.A. 12-1771, and amendments thereto, shall prepare a project plan in consultation with the planning commission of the city. The project plan shall include:

(1) A summary of the feasibility study done as defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, which will be an open record;

(2) a reference to the district plan established under K.S.A. 12-1771, and amendments thereto, that identifies the redevelopment project area that is set forth in the project plan that is being considered;

(3) a description and map of the redevelopment project area to be redeveloped;

(4) the relocation assistance plan required by K.S.A. 12-1777, and amendments thereto;

(5) a detailed description of the buildings and facilities proposed to be constructed or improved in such area; and

(6) any other information the governing body deems necessary to advise the public of the intent of the project plan.

(b) *Resolution requirements.* A copy of the redevelopment project plan shall be delivered to the board of county commissioners of the county and the board of education of any school district levying taxes on property within the proposed redevelopment project area. Upon a finding by the planning commission that the project plan is consistent with the intent of the comprehensive plan for the development of the city, the governing body of the city shall adopt a resolution stating that the city is considering the adoption of the project plan. Such resolution shall:

(1) Give notice that a public hearing will be held to consider the adoption of the redevelopment project plan and fix the date, hour and place of such public hearing;

(2) describe the boundaries of the redevelopment district within which the redevelopment project will be located and the date of establishment of such district;

(3) describe the boundaries of the area proposed to be included within the redevelopment project area; and

(4) state that the project plan, including a summary of the feasibility study, relocation assistance plan and financial guarantees of the prospective developer and a description and map of the area to be redeveloped are available for inspection during regular office hours in the office of the city clerk.

Except as provided in paragraph (3) of subsection (b) of K.S.A. 12-1774, and amendments thereto; if the governing body determines that it may issue full faith and credit tax increment bonds to finance the redevelopment project, in whole or in part, the resolution also shall include notice thereof.

(c) *Hearing.* The date fixed for the public hearing shall be not less than 30 nor more than 70 days following the date of the adoption of the resolution fixing the date of the hearing.

(2) A copy of the resolution providing for the public hearing shall be by certified mail, return receipt requested sent to the board of county commissioners of the county and the board of education of any school district levying taxes on property within the proposed redevelopment project area. Copies also shall be sent by certified mail, return receipt re-

quested to each owner and occupant of land within the proposed redevelopment project area not more than 10 days following the date of the adoption of the resolution. The resolution shall be published once in the official city newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the area in sufficient detail to advise the reader of the particular land proposed to be included within the project area shall be published with the resolution.

(3) At the public hearing, a representative of the city shall present the city's proposed project plan. Following the presentation of the project plan, all interested persons shall be given an opportunity to be heard. The governing body for good cause shown may recess such hearing to a time and date certain, which shall be fixed in the presence of persons in attendance at the hearing.

(d) The public hearing records and feasibility study shall be subject to the open records act, K.S.A. 45-215, and amendments thereto.

(e) Posthearing procedure. Following the public hearing, the governing body may adopt the project plan by ordinance passed upon a  $\frac{2}{3}$  vote.

(f) Any substantial changes as defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to the project plan as adopted shall be subject to a public hearing following publication of notice thereof at least twice in the official city newspaper.

(g) Any project shall be completed within 20 years from the date of the approval of the project plan.

Sec. 8. K.S.A. 2000 Supp. 12-1773 is hereby amended to read as follows: 12-1773. (a) Any city which has adopted a redevelopment project plan in accordance with the provisions of this act may purchase or otherwise acquire real property in connection with such project plan. Upon a  $\frac{2}{3}$  vote of the members of the governing body thereof a city may acquire by condemnation any interest in real property, including a fee simple title thereto, which it deems necessary for or in connection with any redevelopment project plan of an area located within the redevelopment district. Prior to the exercise of such eminent domain power, the city shall offer to the owner of any property which will be subject to condemnation with respect to any redevelopment project, other than one which includes an auto race track facility, compensation in an amount equal to the highest appraised valuation amount determined for property tax purposes by the county appraiser for any of the three most recent years next preceding the year of condemnation, except that, if in the year next preceding the year of condemnation any such property had been damaged or destroyed by fire, flood, tornado, lightning, explosion or other catastrophic event, the amount offered should be equal to the appraised valuation of the property which would have been determined taking into account such damage or destruction unless such property has been restored, renovated or otherwise improved. However no city shall exercise such eminent domain power to acquire real property in a conservation area. Any such city may exercise the power of eminent domain in the manner provided by K.S.A. 26-501 et seq., and amendments thereto. In addition to the compensation or damage amount finally awarded thereunder, with respect to any property subject to proceedings thereunder as a result of the construction of an auto race track facility, such city shall provide for the payment of an amount equal to 25% of such compensation or damage amount. In addition to any compensation or damages allowed under the eminent domain procedure act, such city shall also provide for the payment of relocation assistance as provided in K.S.A. 12-1777, and amendments thereto.

(b) Any property acquired by a city under the provisions of this act may be sold, transferred or leased to any person, firm or corporation, hereinafter referred to as a developer, in accordance with the redevelopment project plan and under such other conditions as may be agreed upon. Such city may use the proceeds of special obligation bonds issued under K.S.A. 12-1774, and amendments thereto, or full faith and credit tax increment bonds issued under K.S.A. 12-1774, and amendments thereto, or any uncommitted funds derived from those sources set forth in paragraph (1) of subsection (a) of K.S.A. 12-1774, and amendments thereto, to pay the redevelopment project costs as defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to implement the redevelopment project plan including, without limitation:

(1) Acquisition of property within the project area;

(2) payment of relocation assistance;

(3) site preparation;

(4) sanitary and storm sewers and lift stations;

(5) drainage conduits, channels and levees;



- (6) ~~street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;~~  
 (7) ~~street lighting fixtures, connection and facilities;~~  
 (8) ~~underground gas, water, heating, and electrical services and connections located within the public right-of-way;~~  
 (9) ~~sidewalks and pedestrian underpasses or overpasses;~~  
 (10) ~~drives and driveway approaches located within public right-of-way;~~  
 (11) ~~water mains and extensions;~~  
 (12) ~~plazas and arcades;~~  
 (13) ~~parking facilities;~~  
 (14) ~~landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities; and~~  
 (15) ~~all related expenses to redevelop and finance the redevelopment project. None of the proceeds from the sale of such bonds shall be used for the construction of buildings or other structures to be owned by or to be leased to such developer, except for proceeds of such bonds as may be issued for a redevelopment project which includes an auto race track facility and except for proceeds of such bonds as may be issued for a redevelopment district including some or all of the land and buildings comprising a state mental institution closed pursuant to section 2 of chapter 210 of the 1995 Session Laws of Kansas.~~

Sec. 9. K.S.A. 2000 Supp. 12-1774 is hereby amended to read as follows: 12-1774. (a) (1) Any city shall have the power to issue special obligation bonds in one or more series to finance the undertaking of any redevelopment project in accordance with the provisions of this act. Such special obligation bonds shall be made payable, both as to principal and interest:

(A) From property tax increments allocated to, and paid into a special fund of the city under the provisions of K.S.A. 12-1775, and amendments thereto;

(B) from revenues of the city derived from or held in connection with the undertaking and carrying out of any redevelopment project or projects under this act ~~including historic theater sales tax increments and environmental increments;~~

(C) from any private sources, contributions or other financial assistance from the state or federal government;

(D) from a pledge of a portion or all of the revenue received by the city from transient guest, sales and use taxes collected pursuant to K.S.A. 12-1696 *et seq.*, 79-3601 *et seq.*, 79-3701 *et seq.* and 12-187 *et seq.*, and amendments thereto, and which are collected from taxpayers doing business within that portion of the city's redevelopment district established pursuant to K.S.A. 12-1771, and amendments thereto, occupied by a redevelopment project if there first is a finding by the secretary of commerce and housing that the redevelopment project ~~is of statewide as well as local importance or will create a major tourism area for the state or if the project is the restoration of a historic theater as defined in subsection (1) of K.S.A. 2000 Supp. 12-1770a, and amendments thereto. In making a finding that a redevelopment project is of statewide as well as local importance, the secretary must conclude at least: (i) That capital improvements costing not less than \$300,000,000 will be built in the state for such redevelopment project, and (ii) not less than 1,500 permanent and seasonal employment positions as defined by K.S.A. 74-50,114, and amendments thereto, will be created in the state by such redevelopment project. In making a finding that a redevelopment project will create a major tourism area within the state, the secretary must conclude at least: (i) That capital improvements costing not less than \$100,000,000 will be built in the state to construct a project for such major tourism area, and (ii) that the project constructed will be an auto race track facility. An auto race track facility means (i) an auto race facility and facilities directly related and necessary to the operation of an auto race track facility including, but not limited to, grandstands, suites and viewing areas, concessions and souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (ii) hotels, motels, restaurants and retail facilities not included in (i);~~

(E) (i) from a pledge of a portion or all increased revenue received by the city from franchise fees collected from utilities and other businesses using public right-of-way within the redevelopment district; (ii) from a pledge of a portion or all of the revenue received by the city from sales taxes collected pursuant to K.S.A. 12-187, and amendments thereto; or

(F) by any combination of these methods.

The city may pledge such revenue to the repayment of such special

obligation bonds prior to, simultaneously with, or subsequent to the issuance of such special obligation bonds.

(2) Bonds issued under paragraph (1) of subsection (a) shall not be general obligations of the city, nor in any event shall they give rise to a charge against its general credit or taxing powers, or be payable out of any funds or properties other than any of those set forth in paragraph (1) of this subsection and such bonds shall so state on their face.

(3) Bonds issued under the provisions of paragraph (1) of this subsection shall be special obligations of the city and are declared to be negotiable instruments. They shall be executed by the mayor and clerk of the city and sealed with the corporate seal of the city. All details pertaining to the issuance of such special obligation bonds and terms and conditions thereof shall be determined by ordinance of the city. All special obligation bonds issued pursuant to this act and all income or interest therefrom shall be exempt from all state taxes except inheritance taxes. Such special obligation bonds shall contain none of the recitals set forth in K.S.A. 10-112, and amendments thereto. Such special obligation bonds shall, however, contain the following recitals, viz., the authority under which such special obligation bonds are issued, they are in conformity with the provisions, restrictions and limitations thereof, and that such special obligation bonds and the interest thereon are to be paid from the money and revenue received as provided in paragraph (1) of this subsection.

(b) (1) Subject to the provisions of paragraph (2) of this subsection, any city shall have the power to issue full faith and credit tax increment bonds to finance the undertaking of any redevelopment project in accordance with the provisions of K.S.A. 12-1770 *et seq.*, and amendments thereto other than a project ~~determined by the secretary of commerce and housing to be of statewide as well as local importance or that will create a major tourism area as specified in subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto or result in the renovation of an historic theater.~~ Such full faith and credit tax increment bonds shall be made payable, both as to principal and interest: (A) From the revenue sources identified in paragraph (1)(A), (B), (C), (D) and (E) of subsection (a) or by any combination of these sources; and (B) subject to the provisions of paragraph (2) of this subsection, from a pledge of the city's full faith and credit to use its ad valorem taxing authority for repayment thereof in the event all other authorized sources of revenue are not sufficient.

(2) Except as provided in paragraph (3) of this subsection, before the governing body of any city proposes to issue full faith and credit tax increment bonds as authorized by this subsection, the feasibility study required by K.S.A. ~~12-1771~~ 12-1772, and amendments thereto, shall demonstrate that the benefits derived from the project will exceed the cost and that the income therefrom will be sufficient to pay the costs of the project. No full faith and credit tax increment bonds shall be issued unless the governing body states in the resolution required by K.S.A. 12-1772, and amendments thereto, that it may issue such bonds to finance the proposed redevelopment project. The governing body may issue the bonds unless within 60 days following the date of the public hearing on the proposed redevelopment project plan a protest petition signed by 3% of the qualified voters of the city is filed with the city clerk in accordance with the provisions of K.S.A. 25-3601 *et seq.*, and amendments thereto. If a sufficient petition is filed, no full faith and credit tax increment bonds shall be issued until the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds in accordance with K.S.A. 12-1774, and amendments thereto. No such election shall be held in the event the board of county commissioners or the board of education determines, as provided in K.S.A. 12-1771, and amendments thereto, that the proposed redevelopment district will have an adverse effect on the county or school district.

(3) As an alternative to paragraph (2) of this subsection, any city which adopts a ~~redemption project~~ plan but does not state its intent to issue full faith and credit tax increment bonds in the resolution required by K.S.A. 12-1772, and amendments thereto, and has not acquired property in the redevelopment project area may issue full faith and credit tax increment bonds if the governing body of the city adopts a resolution stating its intent to issue the bonds and the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The

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failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds pursuant to paragraph (1) of subsection (a). Any redevelopment project plan adopted by a city prior to the effective date of this act in accordance with K.S.A. 12-1772, and amendments thereto, shall not be invalidated by any requirements of this act.

(4) During the progress of any redevelopment project in which the city's ~~costs~~ *redevelopment project costs* will be financed, in whole or in part, with the proceeds of full faith and credit tax increment bonds, the city may issue temporary notes in the manner provided in K.S.A. 10-123, and amendments thereto, to pay the city's ~~cost~~ *redevelopment project costs* for the project. Such temporary notes shall not be issued and the city shall not acquire property in the redevelopment project area until the requirements of paragraph (2) or (3) of this subsection, whichever is applicable, have been met.

(5) Full faith and credit tax increment bonds issued under this subsection shall be general obligations of the city and are declared to be negotiable instruments. They shall be issued in accordance with the general bond law. All such bonds and all income or interest therefrom shall be exempt from all state taxes except inheritance taxes. The amount of the full faith and credit tax increment bonds issued and outstanding which exceeds 3% of the assessed valuation of the city shall be within the bonded debt limit applicable to such city.

(6) Any city issuing special obligation bonds under the provisions of this act may refund all or part of such issue pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

(c) *Any increment in ad valorem property taxes resulting from a redevelopment project in the established redevelopment district undertaken in accordance with the provisions of this act, shall be apportioned to a special fund for the payment of the redevelopment project costs, including the payment of principal and interest on any special obligation bonds or full faith and credit tax increment bonds issued to finance such project pursuant to this act and may be pledged to the payment of principal and interest on such bonds.*

Sec. 10. K.S.A. 2000 Supp. 12-1774a is hereby amended to read as follows: 12-1774a. (a) In the event that the city shall default in the payment of any special obligation bonds as authorized pursuant to ~~K.S.A. 12-1774 (a)(1)(D)~~ *subsection (a)(1)(D) of K.S.A. 12-1774*, and amendments thereto, no public funds shall be used to pay the holders thereof except as otherwise specifically authorized in this act.

(b) ~~No property abutting the site of a redevelopment project determined by the secretary of commerce and housing to be of statewide as well as local importance and to meet the other criteria specified by K.S.A. 12-1774 (a)(1)(D), and amendments thereto, or property abutting any public infrastructure constructed to support such redevelopment project, shall be assessed for any infrastructure construction in connection with such project unless it is determined that such abutting property is specifically benefited thereby.~~

Sec. 11. K.S.A. 2000 Supp. 12-1775 is hereby amended to read as follows: 12-1775. (a) ~~For the purposes of this act:~~

(1) ~~"Taxing subdivision" means the county, the city, the unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district, and~~

(2) ~~"real property taxes" means all taxes levied on an ad valorem basis upon land and improvements thereon.~~

(b) (a) Except for redevelopment projects satisfying the conditions of subsection (b) (c) of K.S.A. ~~12-1771~~ *2000 Supp. 12-1771b*, and amendments thereto, all tangible taxable property located within a redevelopment district shall be assessed and taxed for ad valorem tax purposes pursuant to law in the same manner that such property would be assessed and taxed if located outside such district, and all ad valorem taxes levied on such property shall be paid to and collected by the county treasurer in the same manner as other taxes are paid and collected. Except as otherwise provided in this section, the county treasurer shall distribute such taxes as may be collected in the same manner as if such property were located outside a redevelopment district. Each redevelopment district established under the provisions of this act shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(e) (b) Except for redevelopment projects satisfying the conditions of subsection (b) (c) of K.S.A. ~~12-1771 (c)~~ *2000 Supp. 12-1771b*, and amendments thereto, beginning with the first payment of taxes which are levied following the date of the ~~redevelopment plan or revision of the~~

~~plan, as authorized by K.S.A. 2000 Supp. 12-1771c, and amendments thereto, to the county pursuant to K.S.A. 12-1776, and amendments thereto, establishment of the redevelopment district real property taxes received by the county treasurer, resulting from taxes which are levied subject to the provisions of this act by and for the benefit of a taxing subdivision, as herein defined in K.S.A. 2000 Supp. 12-1770a, on property located within such redevelopment district constituting a separate taxing unit under the provisions of this section, shall be divided as follows:~~

(1) From the taxes levied each year subject to the provisions of this act by or for each of the taxing subdivisions upon property located within a redevelopment district constituting a separate taxing unit under the provisions of this act, the county treasurer first shall allocate and pay to each such taxing subdivision all of the real property taxes collected which are produced from ~~that portion of the current assessed valuation of such real property located within such separate taxing unit which is equal to the total assessed value of such real property on the date of the establishment of the redevelopment district the base year assessed valuation.~~

(2) Any real property taxes produced from that portion of the current assessed valuation of real property within the redevelopment district constituting a separate taxing unit under the provisions of this section in excess of ~~an amount equal to the total assessed value of such real property on January 1 in the year preceding transmittal of the redevelopment plan or a revision of the plan, as authorized by K.S.A. 2000 Supp. 12-1771c, and amendments thereto, to the county pursuant to K.S.A. 12-1776, and amendments thereto, the base year assessed valuation~~ shall be allocated and paid by the county treasurer to the treasurer of the city and deposited in a special fund of the city to pay the ~~cost of redevelopment projects~~ *redevelopment project costs* including the payment of principal of and interest on any special obligation bonds or full faith and credit tax increment bonds issued by such city to finance, in whole or in part, such redevelopment project. ~~When the redevelopment project costs have been paid and such obligation bonds and interest thereon have been paid, all moneys thereafter received from real property taxes within such redevelopment district shall be allocated and paid to the respective taxing subdivisions in the same manner as are other ad valorem taxes. If such obligation bonds and interest thereon have been paid before the completion of a project, the city may continue to use such moneys for any purpose authorized by this act until such time as the project is completed, but for not to exceed 20 years from the date of the transmittal to the county of the redevelopment plan or a revision of the plan as authorized by K.S.A. 2000 Supp. 12-1771c, and amendments thereto approval of the project plan, except as otherwise provided by this act.~~

(d) (c) In any redevelopment project plan or in the proceedings for the issuing of any special obligation bonds or full faith and credit tax increment bonds by the city to finance a redevelopment project, the property tax increment portion of taxes provided for in paragraph (2) of subsection (c) may be irrevocably pledged for the payment of the principal of and interest on such obligation bonds, subject to the provisions of subsection (b) (c) of K.S.A. ~~12-1771~~ *12-1774*, and amendments thereto.

(d) A city may adopt a redevelopment project plan in which only a specified percentage or amount of the tax increment realized from taxpayers in the redevelopment district are pledged to the redevelopment project. The county treasurer shall allocate the specified percentage or amount of the tax increment to the treasurer of the city for deposit in the special fund of the city to finance the ~~cost of redevelopment projects~~ *redevelopment project costs* if the city has other available revenues and pledges the revenues to the redevelopment project in lieu of the tax increment. Any portion of such tax increment not allocated to the city for the redevelopment project shall be allocated and paid in the same manner as other ad valorem taxes.

Sec. 12. K.S.A. 2000 Supp. 12-1776 is hereby amended to read as follows: 12-1776. (a) After the adoption by the city governing body of a ~~redevelopment project plan which contains the provisions authorized by K.S.A. 12-1775, and amendments thereto, the clerk of the city shall transmit a copy of the description of the land within the redevelopment district, a copy of the ordinance adopting the plan and a map or plat indicating the boundaries of the district to the clerk, assessor and treasurer of the county in which the district is located and to the governing bodies of the county and school district which levy taxes upon any property in the district. Such documents shall be transmitted following the adoption or modification of the plan or a revision of the plan, as authorized by K.S.A. 2000 Supp. 12-1771c, on or before the January 1 of the year in which the increment is first allocated to the taxing subdivision pursuant to K.S.A. 12-1775, and amendments thereto.~~



(b) For any year in which taxes are to be paid to the special fund established under subsection (c)(2) of K.S.A. 12-1775, and amendments thereto, any increase in assessed valuation of taxable tangible real property within the redevelopment district in excess of an amount equal to the total assessed value of such real property on the date of the establishment of the redevelopment district shall not be considered by any taxing subdivision in computing any debt limitation or for any other purpose except for the levy of taxes and in determining the amount to be paid to such special fund.

(c) The appraiser of any county in which a redevelopment district is authorized by a city shall certify the amount of such increase in assessed valuation of real and personal property within the redevelopment district to the county clerk on or before July 1 of each year.

Sec. 13. K.S.A. 12-17,104 is hereby amended to read as follows: 12-17,104. The governing body of the city, on behalf of the district, shall have the right to acquire real and personal property by gift, purchase, exchange or eminent domain, as provided by K.S.A. 26-501 to 26-516, inclusive, and amendments thereto, provided that the governing body may exercise the power of eminent domain only under the following conditions:

(1) Acquisition of the land and personal property is in the public interest and is needed to further the improvement or redevelopment proposal of an existing self-supported municipal improvement district under this act.

(2) The proposal has been reviewed by the appropriate planning commission for conformance with the comprehensive plan of the city.

(3) The city has complied with K.S.A. 75-2714 to 75-2725, inclusive, and amendments thereto, and has received written approval of the state historical society as provided by K.S.A. 75-2714, and amendments thereto.

(4) The city has complied with provisions of K.S.A. 12-1771 and 12-1772, and amendments thereto, ~~have been complied with except as the same relate to findings of a blighted area.~~

(5) The procedures for a public hearing, notification to affected property owners and the right of appeal shall be the same as provided in subsections (d) and (e) of K.S.A. 12-1796 and 12-1797, and amendments thereto.

Upon the dissolution of the district or according to the district proposal as adopted or amended, and the retirement of all bonded indebtedness against the property, all property of the district shall become the property of the city and the city may trade or exchange or sell this property in the same manner as provided in K.S.A. 12-1301, and amendments thereto. The proceeds from such sale may be used for another public purpose.

Sec. 14. K.S.A. 2000 Supp. 19-101a is hereby amended to read as follows: 19-101a. (a) The board of county commissioners may transact all county business and perform all powers of local legislation and administration it deems appropriate, subject only to the following limitations, restrictions or prohibitions:

(1) Counties shall be subject to all acts of the legislature which apply uniformly to all counties.

(2) Counties may not consolidate or alter county boundaries.

(3) Counties may not affect the courts located therein.

(4) Counties shall be subject to acts of the legislature prescribing limits of indebtedness.

(5) In the exercise of powers of local legislation and administration authorized under provisions of this section, the home rule power conferred on cities to determine their local affairs and government shall not be superseded or impaired without the consent of the governing body of each city within a county which may be affected.

(6) Counties may not legislate on social welfare administered under state law enacted pursuant to or in conformity with public law No. 271—74th congress, or amendments thereof.

(7) Counties shall be subject to all acts of the legislature concerning elections, election commissioners and officers and their duties as such officers and the election of county officers.

(8) Counties shall be subject to the limitations and prohibitions imposed under K.S.A. 12-187 to 12-195, inclusive, and amendments thereto, prescribing limitations upon the levy of retailers' sales taxes by counties.

(9) Counties may not exempt from or effect changes in statutes made nonuniform in application solely by reason of authorizing exceptions for counties having adopted a charter for county government.

(10) No county may levy ad valorem taxes under the authority of this section upon real property located within any redevelopment project area

established under the authority of K.S.A. 12-1772, and amendments thereto, unless the resolution authorizing the same specifically authorized a portion of the proceeds of such levy to be used to pay the principal of and interest upon bonds issued by a city under the authority of K.S.A. 12-1774, and amendments thereto.

(11) Counties shall have no power under this section to exempt from any statute authorizing or requiring the levy of taxes and providing substitute and additional provisions on the same subject, unless the resolution authorizing the same specifically provides for a portion of the proceeds of such levy to be used to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto.

(12) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

(13) Except as otherwise specifically authorized by K.S.A. 12-1,101 through 12-1,109, and amendments thereto, counties may not levy and collect taxes on incomes from whatever source derived.

(14) Counties may not exempt from or effect changes in K.S.A. 19-430, and amendments thereto.

(15) Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

(16) (A) Counties may not exempt from or effect changes in K.S.A. 13-13a26, and amendments thereto.

(B) This provision shall expire on June 30, 2003.

(17) (A) Counties may not exempt from or effect changes in K.S.A. 2000 Supp. 71-301a, and amendments thereto.

(B) This provision shall expire on June 30, 2003.

(18) Counties may not exempt from or effect changes in K.S.A. 19-15,139, 19-15,140 and 19-15,141, and amendments thereto.

(19) Counties may not exempt from or effect changes in the provisions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-1226, and amendments thereto, or the provisions of K.S.A. 2000 Supp. 12-1260 through 12-1270 and 12-1276, and amendments thereto.

(20) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-211, and amendments thereto.

(21) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4001 through 19-4015, and amendments thereto.

(22) Counties may not regulate the production or drilling of any oil or gas well in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of any oil or gas well.

(23) Counties may not exempt from or effect changes in K.S.A. 79-41a04, and amendments thereto.

(24) Counties may not exempt from or effect changes in K.S.A. 79-1611, and amendments thereto.

(25) Counties may not exempt from or effect changes in K.S.A. 79-1494, and amendments thereto.

(26) Counties may not exempt from or effect changes in subsection (b) of K.S.A. 19-202, and amendments thereto.

(27) Counties may not exempt from or effect changes in subsection (b) of K.S.A. 19-204, and amendments thereto.

(28) Counties may not levy or impose an excise, severance or any other tax in the nature of an excise tax upon the physical severance and production of any mineral or other material from the earth or water.

(29) Counties may not exempt from or effect changes in K.S.A. 79-2017 or 79-2101, and amendments thereto.

(30) Counties may not exempt from or effect changes in K.S.A. 2-3302, 2-3305, 2-3307, 17-5904, 17-5908, 47-1219 or 65-171d or K.S.A. 2000 Supp. 2-3318, 17-5909 or 65-1,178 through 65-1,199, and amendments thereto.

(31) Counties may not exempt from or effect changes in K.S.A. 2000 Supp. 80-121, and amendments thereto.

(b) Counties shall apply the powers of local legislation granted in subsection (a) by resolution of the board of county commissioners. If no statutory authority exists for such local legislation other than that set forth in subsection (a) and the local legislation proposed under the authority of such subsection is not contrary to any act of the legislature, such local legislation shall become effective upon passage of a resolution of the board and publication in the official county newspaper. If the legislation

(continued)

proposed by the board under authority of subsection (a) is contrary to an act of the legislature which is applicable to the particular county but not uniformly applicable to all counties, such legislation shall become effective by passage of a charter resolution in the manner provided in K.S.A. 19-101b, and amendments thereto.

(c) Any resolution adopted by a county which conflicts with the restrictions in subsection (a) is null and void.

Sec. 15. K.S.A. 2000 Supp. 74-5093 is hereby amended to read as follows: 74-5093. As used in this act:

(a) "Blighted area" has the meaning ascribed to it in K.S.A. ~~19-1774~~ 2000 Supp. 12-1770a, and amendments thereto;

(b) "committee" means the community strategic planning grant committee established by K.S.A. 74-5095 and amendments thereto;

(c) "metropolitan county" means the county of Douglas, Johnson, Leavenworth, Sedgwick, Shawnee or Wyandotte;

(d) "neighborhood revitalization organization" means any group organized for the purpose of encouraging economic development in a blighted area of a metropolitan county; and

(e) "nonmetropolitan county" means any county which is not a metropolitan county.

Sec. 16. K.S.A. 2000 Supp. 79-3620, as amended by section 460 of 2001 Senate Bill No. 15, is hereby amended to read as follows: 79-3620.

(a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsection (c) and (d), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds including refunds authorized under the provisions of K.S.A. 79-3635, and amendments thereto. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) The state treasurer shall credit  $\frac{5}{8}$ s of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state as specified in subsection (a)(1)(D) of K.S.A. ~~12-1774~~ defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

Sec. 17. K.S.A. 2000 Supp. 79-3620b is hereby amended to read as follows: 79-3620b. Moneys credited to the city bond finance fund in accordance with the provisions of subsections (d) of K.S.A. 79-3620 and (d) of K.S.A. 79-3710, and amendments thereto, shall be distributed biannually to cities which have issued special obligation bonds to finance, in whole or in part, a redevelopment project which was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state as specified in subsection (a)(1)(D) of K.S.A. ~~12-1774~~ defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto. The state treasurer shall make such biannual distributions on such dates as mutually agreed to by the city and the state treasurer. The total of all distributions under this section shall

not exceed an amount determined to be sufficient to retire the principal and interest payable on such special obligation bonds. Moneys paid to cities hereunder shall be deposited in a special fund of the city to pay the costs described herein.

Sec. 18. K.S.A. 2000 Supp. 79-3710, as amended by section 461 of 2001 Senate Bill No. 15, is hereby amended to read as follows: 79-3710.

(a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c) and (d), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) The state treasurer shall credit  $\frac{5}{8}$ s of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state as specified in subsection (a)(1)(D) of K.S.A. ~~12-1774~~ defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to the city bond finance fund created by subsection (d) of K.S.A. 79-3620, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3620, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

New Sec. 19. The provisions of this act shall be applicable to redevelopment districts created after July 1, 2001, however, any city which has created a redevelopment district prior to the effective date of this act may, by an ordinance of the governing body, elect to have the provisions of this act apply to such.

Sec. 20. K.S.A. 12-1772 and 12-17,104 and K.S.A. 2000 Supp. 12-1770, 12-1770a, 12-1771, 12-1771a, 12-1771b, 12-1771c, 12-1771d, 12-1773, 12-1774, 12-1774a, 12-1774b, 12-1775, 12-1776, 19-101a, 74-5093, 79-3620, as amended by section 460 of 2001 Senate Bill No. 15, 79-3620b and 79-3710, as amended by section 461 of 2001 Senate Bill No. 15, are hereby repealed.

Sec. 21. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 26, 2001.)

Senate Substitute for HOUSE BILL No. 2035

AN ACT enacting the KAN-ED act; providing for establishment and maintenance of a broadband technology-based network for certain schools, libraries and hospitals.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. This act may be cited as the KAN-ED act.

Sec. 2. As used in this act, unless the context requires otherwise:

- (a) "Board" means the state board of regents.
- (b) "Hospital" means a licensed hospital, as defined in K.S.A. 65-425, and amendments thereto.
- (c) "Library" means: (1) The state library; (2) any public library established and operating under the laws of this state; or (3) any regional system of cooperating libraries, as defined in K.S.A. 75-2548, and amendments thereto.
- (d) "Network" means the KAN-ED network created pursuant to this act.
- (e) "School" means: (1) Any unified school district, school district interlocal cooperative, school district cooperative or nonpublic school accredited by the state board of education; or (2) any community college, technical college, area vocational school, area vocational-technical school or Kansas educational institution, as defined in K.S.A. 2000 Supp. 74-32,120, and amendments thereto.

Sec. 3. (a) The purpose of this act is to provide for a broadband technology-based network to which schools, libraries and hospitals may connect for broadband internet access and intranet access for distance learning. For that purpose, the state board of regents shall contract in accordance with this act for the creation, operation and maintenance of such network, to be known as the KAN-ED network.

(b) The network shall not provide for: (1) Impairment of any existing contract for the provision of telecommunications services or internet services to any school, library or hospital; (2) state ownership or construction of any network facilities other than those owned or being constructed by the state on the effective date of this act; (3) switched voice access, except to the extent switched access is being provided by state owned, leased or operated facilities as of the effective date of this act; (4) transmission of voice over internet or voice over internet protocol, except to the extent necessary to facilitate interactive two-way video; or (5) use of the network for purposes inconsistent with the purposes of this act.

Sec. 4. (a) The board shall establish a plan to ensure that all schools, libraries and hospitals have quality, affordable access to the internet and distance learning. The board shall adopt standards for determining whether such access is available to each school, library or hospital desiring such access and shall adopt priorities for implementation of such access. The board may request and receive assistance from any school, any library, any hospital, the state corporation commission, any other agency of the state or any telecommunications, cable or other communications services provider to gather necessary data to implement such plan and establish such standards and priorities. The board shall develop a methodology for updating and validating any data collected for periodic revisions of the plan, standards and priorities. Not less than 75% of all schools which have applied to the board to participate in the network, 75% of all libraries which have applied to the board to participate in the network and 75% of all hospitals which have applied to the board to participate in the network shall have access to the network by July 1, 2004.

(b) The board shall contract with providers of telecommunications services, cable services and other communications services for the creation, operation and maintenance of the network. Such contracts shall be let by competitive bids as provided by K.S.A. 75-3739, and amendments thereto.

(c) The board shall establish: (1) Technical standards for operation and maintenance of the network; (2) the method of monitoring operations of the network; and (3) the method or methods of increasing the capacity of the network to accommodate changes in the demands of schools, libraries and hospitals.

(d) The board shall identify any potential regulatory impediments to and other regulatory considerations in implementation of the network and shall propose measures to address such impediments and other considerations.

(e) The board shall assess the need of schools, libraries and hospitals

for full-motion video connectivity. Based on its findings, the board may develop a plan to provide such connectivity. The plan may require users of such connectivity bear part of its cost.

(f) The board may appoint such advisory committees as the board determines necessary to carry out the purposes of this act. The membership of advisory committees may include both members of the board and persons who are not board members. Such advisory committees, to the extent appropriate, shall include both communications services providers and participants knowledgeable about topics such as network facilities and services, network content and user training, and such other topics as may be necessary or useful. Members of advisory committees appointed by the board shall receive amounts provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto.

(g) On or before July 1, 2002, and thereafter as the board deems appropriate, the board shall adopt rules and regulations to implement and administer the provisions of this act.

(h) The board shall have all other powers necessary to achieve the purposes of this act, including but not limited to the power to receive any appropriations, donations, grants, bequests and devises, conditional and otherwise, of money, property, services or other things of value for the purposes of this act.

(i) The state department of education, the division of information systems and communications of the department of administration, the state corporation commission and all other state agencies shall cooperate with the board in providing information and other assistance requested by the board for the performance of its duties pursuant to this act.

Sec. 5. (a) There is hereby created in the state treasury the KAN-ED fund. The board shall remit to the state treasurer all moneys received by or on behalf of the board for the purposes of this act. Upon receipt of the remittance, the state treasurer shall deposit the entire amount in the state treasury and credit it to the KAN-ED fund.

(b) Moneys in the KAN-ED fund shall be expended only for the purposes of this act.

(c) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the KAN-ED fund interest earnings based on:

- (1) The average daily balance of moneys in the fund for the preceding month; and
- (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) All expenditures from the KAN-ED fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the board or the chairperson's designee for the purposes set forth in this section.

Sec. 6. On or before January 15 of each year, the board shall publish an annual report and shall present the report to the legislature, governor and department of education. The report shall set forth in detail the operations and transactions conducted by the board pursuant to this act. The annual report shall specifically account for the ways in which the purpose of this act have been carried out, and the recommendations shall specifically note what changes are necessary to better address the purposes described in this act.

Sec. 7. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application. To this end the provisions of this act are severable.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2000 Volumes of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-5-8	Amended (T)	V. 20, p. 175
1-5-9	Amended (T)	V. 20, p. 176
1-5-19b	Amended (T)	V. 20, p. 176
1-5-19c	Amended (T)	V. 20, p. 176
1-5-20	Amended (T)	V. 20, p. 176
1-5-24	Amended	V. 19, p. 1337
1-9-23	Amended	V. 19, p. 944
1-18-1a	Amended	V. 19, p. 1719
1-49-1	Amended	V. 19, p. 724

**AGENCY 3: KANSAS STATE TREASURER**

Reg. No.	Action	Register
3-2-1	New	V. 19, p. 1016
3-2-2	New	V. 19, p. 1016
3-2-3	New	V. 19, p. 1016
3-3-1	New	V. 19, p. 1678

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-3-49	Amended (T)	V. 20, p. 246
4-3-51	New (T)	V. 20, p. 246
4-7-213	Amended	V. 19, p. 117
4-7-214	Amended	V. 19, p. 117
4-7-215	Revoked	V. 19, p. 118
4-7-216	New	V. 19, p. 118
4-8-14a	Amended	V. 19, p. 1679
4-8-27	Amended	V. 19, p. 1679
4-8-28	Amended	V. 19, p. 1680
4-8-29	Amended	V. 19, p. 1680
4-8-32	Amended	V. 19, p. 1680
4-8-34	Amended	V. 19, p. 1680
4-8-41	Amended	V. 19, p. 1680
4-8-42	New	V. 19, p. 1680
4-10-2j	Amended	V. 20, p. 431
4-10-5	Amended	V. 20, p. 430
4-10-5a	New	V. 20, p. 431

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-1-1	Amended	V. 19, p. 1476
5-1-3		
through		
5-1-12	New	V. 19, p. 1480-1483
5-2-3	New	V. 19, p. 1484
5-3-1a	New	V. 19, p. 1484
5-3-4b	Amended	V. 19, p. 1484
5-3-4c	New	V. 19, p. 1484
5-3-4d	New	V. 19, p. 1485
5-3-4e	New	V. 19, p. 1485
5-3-5d	Amended	V. 19, p. 1485
5-3-5e	Amended	V. 19, p. 1485
5-3-5g		
through		
5-3-5n	New	V. 19, p. 1485, 1486
5-3-11	Amended	V. 19, p. 1486
5-3-16	Amended	V. 19, p. 1490
5-3-19		
through		
5-3-28	New	V. 19, p. 1490-1493
5-4-5	New	V. 19, p. 1494
5-4-8	New	V. 19, p. 1494
5-5-1	Amended	V. 19, p. 1495
5-5-6	Amended	V. 19, p. 1495

5-5-13	New	V. 19, p. 1496
5-5-14	New	V. 19, p. 1496
5-5-16	New	V. 19, p. 1496
5-6-3		
through		
5-6-15	New	V. 19, p. 1497-1499
5-7-4	Amended	V. 19, p. 1499
5-7-4a	New	V. 19, p. 1500
5-7-5	New	V. 19, p. 1500
5-8-3	New	V. 19, p. 1500
5-8-4	New	V. 19, p. 1501
5-8-6	New	V. 19, p. 1501
5-8-7	New	V. 19, p. 1502
5-8-8	New	V. 19, p. 1502
5-9-11	New	V. 19, p. 1503
5-12-1		
through		
5-12-4	New	V. 19, p. 1503, 1504
5-13-1		
through		
5-13-11	New	V. 19, p. 1504-1507
5-14-1		
through		
5-14-7	New	V. 19, p. 1507-1509
5-21-4	Amended	V. 19, p. 1509
5-21-5	New	V. 19, p. 1510
5-21-8	New	V. 19, p. 1510
5-21-9	New	V. 19, p. 1510
5-23-1	Amended	V. 19, p. 1510
5-23-3	Amended	V. 19, p. 1511
5-23-3a	New	V. 19, p. 1511
5-23-4	Amended	V. 19, p. 1512
5-23-4a	Amended	V. 19, p. 1513
5-23-4b	New	V. 19, p. 1513
5-23-14	New	V. 19, p. 1514
5-23-15	New	V. 19, p. 1514
5-25-4	Amended	V. 20, p. 294
5-40-1	Amended	V. 19, p. 1514
5-40-4	Amended	V. 19, p. 1515
5-40-11	New	V. 19, p. 1515
5-40-14	New	V. 19, p. 1515
5-40-15	New	V. 19, p. 1515
5-40-16	New	V. 19, p. 1515
5-41-1	Amended	V. 19, p. 1516
5-41-6	Amended	V. 19, p. 1516
5-42-3	Revoked	V. 19, p. 1516
5-42-4	New	V. 19, p. 1517
5-45-1	Amended	V. 19, p. 1517
5-45-4	Amended	V. 19, p. 1518
5-45-13	Amended	V. 19, p. 1518
5-45-14	Amended	V. 19, p. 1518
5-45-18	New	V. 19, p. 1518
5-46-1	New	V. 19, p. 1519
5-46-3	New	V. 19, p. 1519
5-46-4	New	V. 19, p. 1520

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-24-2	Amended	V. 20, p. 323
7-25-1	Amended	V. 20, p. 325
7-26-1	Amended	V. 20, p. 325
7-26-2	Amended	V. 20, p. 325
7-28-1	Amended	V. 20, p. 325
7-29-2	Amended	V. 20, p. 325
7-32-1	Amended	V. 19, p. 1269
7-32-2	Amended	V. 19, p. 1269
7-36-4	Amended	V. 20, p. 326
7-38-1	Amended	V. 20, p. 326

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-10-33	New	V. 19, p. 1948
9-14-2	Amended	V. 19, p. 1748
9-15-4	Amended	V. 19, p. 1748
9-15-5	New	V. 19, p. 1948

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-6-1	Amended	V. 19, p. 399

**AGENCY 17: STATE BANK COMMISSIONER**

Reg. No.	Action	Register
17-22-1	Amended	V. 19, p. 500
17-23-16	Amended	V. 19, p. 500

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-2	Amended	V. 19, p. 141
28-1-18	Amended	V. 19, p. 141

28-1-26	New	V. 19, p. 142
28-4-501	Amended	V. 19, p. 422
28-4-503	Amended	V. 19, p. 423
28-4-504	Amended	V. 19, p. 423
28-4-505	Amended	V. 19, p. 423
28-4-513	Amended	V. 19, p. 423
28-4-530	Revoked	V. 19, p. 423
28-4-531	Revoked	V. 19, p. 423
28-10-15		
through		
28-10-35	Revoked	V. 20, p. 322
28-10-37	Revoked	V. 20, p. 322
28-10-38	Revoked	V. 20, p. 322
28-10-39	Revoked	V. 20, p. 322
28-10-75		
through		
28-10-88	Revoked	V. 20, p. 322
28-10-100		
through		
28-10-108	Revoked	V. 20, p. 322
28-16-28b	Amended	V. 19, p. 1720
28-16-28e	Amended	V. 19, p. 1723
28-16-57	Revoked	V. 20, p. 322
28-16-76		
through		
28-16-79	Revoked	V. 20, p. 322
28-16-82	Revoked	V. 20, p. 322
28-17-15	Amended	V. 19, p. 1190
28-19-79	Revoked	V. 20, p. 492
28-19-202	Amended	V. 20, p. 322
28-19-717	New	V. 19, p. 1932
28-19-719	New	V. 20, p. 492
28-19-729	New	V. 19, p. 565
28-19-729a		
through		
28-19-729h	New	V. 19, p. 566-569
28-29-1100		
through		
28-29-1107	New	V. 19, p. 941-943
28-34-1a	Amended	V. 20, p. 105
28-34-6a	Amended	V. 20, p. 106
28-34-9a	Amended	V. 20, p. 107
28-34-21	Revoked	V. 20, p. 323
28-34-26	Revoked	V. 20, p. 323
28-34-27	Revoked	V. 20, p. 323
28-34-28	Revoked	V. 20, p. 323
28-34-30	Revoked	V. 20, p. 323
28-34-32b	Amended	V. 20, p. 107
28-34-50	Amended	V. 20, p. 453
28-34-51	Amended	V. 20, p. 454
28-34-52	Revoked	V. 20, p. 455
28-34-52a	New	V. 20, p. 455
28-34-52b	New	V. 20, p. 455
28-34-53	Amended	V. 20, p. 456
28-34-54	Amended	V. 20, p. 456
28-34-55	Revoked	V. 20, p. 457
28-34-55a	New	V. 20, p. 457
28-34-56	Revoked	V. 20, p. 457
28-34-56a	New	V. 20, p. 457
28-34-57	Amended	V. 20, p. 457
28-34-58	Revoked	V. 20, p. 458
28-34-58a	New	V. 20, p. 458
28-34-59	Revoked	V. 20, p. 459
28-34-59a	New	V. 20, p. 459
28-34-60	Revoked	V. 20, p. 459
28-34-60a	New	V. 20, p. 459
28-34-61	Revoked	V. 20, p. 460
28-34-61a	New	V. 20, p. 460
28-34-62a	Amended	V. 20, p. 460
28-34-75		
through		
28-34-93	Revoked	V. 20, p. 323
28-34-94a	Revoked	V. 20, p. 323
28-38-18		
through		
28-38-23	Amended	V. 19, p. 1078-1080
28-38-26	Amended	V. 19, p. 1081
28-38-28	Amended	V. 19, p. 1081
28-38-29	Amended	V. 19, p. 1081
28-38-30	New	V. 19, p. 1082
28-39-410	Revoked	V. 20, p. 323
28-59-1		
through		
28-59-5	Amended	V. 20, p. 295, 296
28-59-5a	Amended	V. 20, p. 297
28-59-6	Amended	V. 20, p. 297
28-59-7	Amended	V. 20, p. 298
28-59-8	Amended	V. 20, p. 298

28-61-1		
through		
28-61-10	Amended	V. 20, p. 298-303
28-61-11	New	V. 20, p. 304
28-68-1	Amended	V. 19, p. 1934
28-68-2	Amended	V. 19, p. 1934
28-68-3	Amended	V. 19, p. 1935
28-68-6	Amended	V. 19, p. 1936
28-72-51		
through		
28-72-54	New	V. 19, p. 989, 990

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-50	Amended	V. 19, p. 1548
30-4-64	Amended	V. 20, p. 490
30-5-59	Amended	V. 19, p. 1548
30-5-64	Amended	V. 19, p. 1549
30-5-81	Amended	V. 19, p. 1587
30-5-108	Amended	V. 20, p. 491
30-5-309	Amended	V. 19, p. 988
30-10-21	Amended	V. 19, p. 1550

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

Reg. No.	Action	Register
36-2-3	Revoked	V. 19, p. 1449
36-2-4	Revoked	V. 19, p. 1449
36-2-6	Revoked	V. 19, p. 1449
36-2-8		
through		
36-2-13	Revoked	V. 19, p. 1449
36-15-23	Revoked	V. 19, p. 1622
36-34-1	Revoked	V. 19, p. 1622

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-3-26	Amended	V. 19, p. 303
40-3-27	Revoked	V. 19, p. 680
40-3-32	Amended	V. 19, p. 303
40-3-45	Amended	V. 19, p. 303
40-3-49	Amended	V. 19, p. 303
40-4-35	Amended	V. 19, p. 1853

**AGENCY 49: DEPARTMENT OF HUMAN RESOURCES**

Reg. No.	Action	Register
49-45-1		
through		
49-45-4	Amended	V. 19, p. 504
49-45-4a	New	V. 19, p. 504
49-45-5		
through		
49-45-9	Amended	V. 19, p. 504
49-45-20		
through		
49-45-28	Amended	V. 19, p. 504, 505
49-45-29		
through		
49-45-34	New	V. 19, p. 505
49-45a-1	Amended	V. 19, p. 505
49-45a-2		
through		
49-45a-27	Revoked	V. 19, p. 506
49-46-1	Amended	V. 19, p. 506
49-47-1	Amended	V. 19, p. 507
49-47-1a	New	V. 19, p. 507
49-47-1b	New	V. 19, p. 507
49-47-2	Amended	V. 19, p. 507
49-48-1	Amended	V. 19, p. 508
49-49-1a	New	V. 19, p. 508
49-50-1		
through		
49-50-4	Amended	V. 19, p. 509, 510
49-50-6		
through		
49-50-15	Amended	V. 19, p. 510-513
49-50-17		
through		
49-50-20	Amended	V. 19, p. 513, 514
49-50-21	New	V. 19, p. 514
49-50-22	New	V. 19, p. 515
49-51-1	Amended	V. 19, p. 515
49-51-2	Amended	V. 19, p. 515
49-51-3	Amended	V. 19, p. 515
49-51-3a	New	V. 19, p. 516

49-51-6		
through		
49-51-12	Amended	V. 19, p. 516-518
49-51-14	Revoked	V. 19, p. 518
49-52-5		
through		
49-52-9	Amended	V. 19, p. 518-520
49-52-11	Amended	V. 19, p. 520
49-52-13	Amended	V. 19, p. 520
49-52-14	Amended	V. 19, p. 521
49-52-15	Revoked	V. 19, p. 521
49-52-16	New	V. 19, p. 521
49-52-17	New	V. 19, p. 521
49-54-1		
through		
49-54-3	Revoked	V. 19, p. 521

**AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT**

Reg. No.	Action	Register
50-1-2	Amended	V. 20, p. 137
50-1-3	Amended	V. 20, p. 138
50-1-4	Amended	V. 20, p. 138
50-2-1	Amended	V. 20, p. 139
50-2-3	Amended	V. 20, p. 139
50-2-9	Revoked	V. 20, p. 140
50-2-12	Amended	V. 20, p. 140
50-2-17	Amended	V. 20, p. 140
50-2-18	Amended	V. 20, p. 140
50-2-19	Amended	V. 20, p. 140
50-2-21	Amended	V. 20, p. 141
50-2-26	Amended	V. 20, p. 143
50-3-1		
through		
50-3-5	Amended	V. 20, p. 143-145
50-4-2	Amended	V. 20, p. 146

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-4-101	Amended	V. 20, p. 449
60-6-101	Amended	V. 19, p. 344
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-101	Amended	V. 19, p. 344
60-11-103	Amended	V. 19, p. 345
60-11-104a	Amended	V. 19, p. 346
60-11-106	Amended	V. 19, p. 346
60-11-108	Revoked	V. 19, p. 346
60-11-119	Amended	V. 20, p. 451
60-13-101	Amended	V. 20, p. 451
60-16-104	Amended	V. 20, p. 451
60-17-101		
through		
60-17-111	New	V. 19, p. 346-350

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-3	Amended	V. 19, p. 2024
63-1-4	Amended	V. 19, p. 2024
63-1-5	Amended	V. 19, p. 2025
63-1-6	Amended	V. 19, p. 2025
63-1-12	Amended	V. 19, p. 2025
63-2-7	Amended	V. 19, p. 2025
63-2-10	Amended	V. 19, p. 2026
63-2-11	Amended	V. 19, p. 2026
63-2-12	Amended	V. 19, p. 2026
63-3-17	Amended	V. 19, p. 2027
63-3-18	Amended	V. 19, p. 2027
63-3-20	Amended	V. 19, p. 2027
63-5-1	Amended	V. 19, p. 2028
63-6-1	Amended	V. 19, p. 2028
63-6-2	Amended	V. 19, p. 2028
63-6-3	Amended	V. 19, p. 2029
63-6-6	Amended	V. 19, p. 2029

**AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY**

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-4	Amended	V. 20, p. 102
66-6-6	Amended	V. 19, p. 70
66-7-2	Amended	V. 19, p. 70

66-8-7	New	V. 19, p. 70
66-9-4	Amended	V. 19, p. 71
66-9-6	New	V. 19, p. 71
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 104
66-10-13	Amended	V. 20, p. 104
66-11-4	New	V. 19, p. 72
66-12-1	Amended	V. 19, p. 72
66-14-1	Amended	V. 19, p. 72
66-14-6	Amended	V. 19, p. 72
66-14-10	Amended	V. 20, p. 104

**AGENCY 67: BOARD OF HEARING AID EXAMINERS**

Reg. No.	Action	Register
67-2-4	Amended	V. 19, p. 626
67-3-2	Amended	V. 19, p. 626
67-4-7	Amended	V. 19, p. 626
67-4-10	Amended	V. 19, p. 626
67-4-13	New	V. 19, p. 626
67-5-3	Amended	V. 19, p. 626
67-5-4	Amended	V. 19, p. 626
67-6-4	Amended	V. 19, p. 626
67-7-4	Amended	V. 19, p. 627

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-5-1	Amended	V. 19, p. 501
68-7-11	Amended	V. 19, p. 501
68-7-14	Amended	V. 19, p. 502
68-7-18	Amended	V. 19, p. 503
68-14-8	Amended	V. 19, p. 1830

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
71-3-8	New	V. 19, p. 1336

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-1-2	Amended	V. 19, p. 1791
74-1-7	New	V. 19, p. 1792
74-2-1	Amended	V. 19, p. 1792
74-2-3	Amended	V. 19, p. 1792
74-2-4	Amended	V. 19, p. 1792
74-3-8	Amended	V. 19, p. 1792
74-4-1	Revoked	V. 19, p. 1792
74-4-1a	New	V. 19, p. 1792
74-4-2a	New	V. 19, p. 1792
74-4-3a	New	V. 19, p. 1793
74-4-4	Amended	V. 19, p. 1793
74-4-7	Amended	V. 19, p. 1793
74-4-10	Amended	V. 19, p. 1793
74-5-2	Amended	V. 19, p. 1793
74-5-202	Amended	V. 19, p. 1794
74-5-203	Amended	V. 19, p. 1794
74-5-205	New	V. 19, p. 1795
74-5-405	Amended	V. 19, p. 1795
74-6-1	Amended	V. 19, p. 1795
74-6-2	Amended	V. 19, p. 1795
74-7-2	Amended	V. 19, p. 1795
74-11-6	Amended	V. 19, p. 1796
74-12-1	Amended	V. 19, p. 1796
74-15-1	New	V. 19, p. 1797
74-15-2	New	V. 19, p. 1797

**AGENCY 75: STATE BANKING DEPARTMENT**

Reg. No.	Action	Register
75-6-2	Revoked	V. 19, p. 1082
75-6-6	Revoked	V. 19, p. 1082
75-6-24	Revoked	V. 19, p. 1082
75-6-26	Amended	V. 19, p. 1082
75-6-30	New	V. 19, p. 1082
75-6-31	New	V. 19, p. 1083
75-6-32	New	V. 20, p. 175

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-4-1	Amended	V. 19, p. 1158
82-4-3	Amended	V. 19, p. 1159
82-4-6d	Amended	V. 19, p. 1083
82-4-8a	Amended	V. 19, p. 1084
82-4-8h	New	V. 19, p. 1085

(continued)

82-4-20	Amended	V. 19, p. 1085
82-4-23	Amended	V. 19, p. 1085
82-4-24a	Amended	V. 19, p. 1085
82-4-27c	Amended	V. 19, p. 1085
82-4-27e	Amended	V. 19, p. 1086
82-4-27f	Revoked	V. 19, p. 1087
82-4-27g	Amended	V. 19, p. 1087
82-4-30a	Amended	V. 19, p. 1087
82-4-31	Amended	V. 19, p. 1087
82-4-32	Amended	V. 19, p. 1087
82-4-33	Amended	V. 19, p. 1087
82-4-35a	Amended	V. 19, p. 1088
82-4-37	Amended	V. 19, p. 1088
82-4-42	Amended	V. 19, p. 1088
82-4-57	Amended	V. 19, p. 1088

## AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-23-1 through 88-23-6	New	V. 19, p. 41-43

## AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-26	Revoked	V. 19, p. 1435
91-1-27	Revoked	V. 19, p. 1435
91-1-27a through 91-1-27d	Revoked	V. 19, p. 1435
91-1-28	Revoked	V. 19, p. 1435
91-1-30	Revoked	V. 19, p. 1435
91-1-30a	Revoked	V. 19, p. 1435
91-1-31 through 91-1-35	Revoked	V. 19, p. 1435
91-1-37	Revoked	V. 19, p. 1435
91-1-39 through 91-1-58	Revoked	V. 19, p. 1435, 1436
91-1-60	Revoked	V. 19, p. 1436
91-1-61	Revoked	V. 19, p. 680
91-1-63	Revoked	V. 19, p. 1436
91-1-65	Revoked	V. 19, p. 1436
91-1-67	Revoked	V. 19, p. 1436
91-1-68a through 91-1-68e	Amended	V. 19, p. 1588-1592
91-1-70	Revoked	V. 19, p. 1436
91-1-70b	Revoked	V. 19, p. 1593
91-1-71 through 91-1-83	Revoked	V. 19, p. 1436, 1437
91-1-84a	Revoked	V. 19, p. 1437
91-1-85 through 91-1-91	Revoked	V. 19, p. 1437
91-1-91a	Revoked	V. 19, p. 1437
91-1-92	Revoked	V. 19, p. 1437
91-1-93a	Revoked	V. 19, p. 1437
91-1-101a	Revoked	V. 19, p. 1437
91-1-101b	Revoked	V. 19, p. 1437
91-1-102a	Revoked	V. 19, p. 1437
91-1-104b	Revoked	V. 19, p. 1437
91-1-104c	Revoked	V. 19, p. 1437
91-1-105	Revoked	V. 19, p. 1437
91-1-106	Revoked	V. 19, p. 1437
91-1-106a through 91-1-106m	Revoked	V. 19, p. 1437, 1438
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91-1-148a	Revoked	V. 19, p. 1439
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91-1-150	Revoked	V. 19, p. 1439
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91-5-14	Amended	V. 20, p. 108
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91-12-25	Revoked	V. 19, p. 680
91-12-27	Revoked	V. 19, p. 680
91-12-28	Revoked	V. 19, p. 680
91-12-30 through 91-12-33	Revoked	V. 19, p. 680
91-12-35 through 91-12-42	Revoked	V. 19, p. 680, 681
91-12-44 through 91-12-69	Revoked	V. 19, p. 681
91-12-71 through 91-12-74	Revoked	V. 19, p. 682
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91-22-2	Amended	V. 19, p. 683
91-22-3	Revoked	V. 19, p. 683
91-22-4	Amended	V. 19, p. 683
91-22-5a	Amended	V. 19, p. 683
91-22-7	Amended	V. 19, p. 683
91-22-8	Revoked	V. 19, p. 683
91-22-9	Amended	V. 19, p. 683
91-22-10 through 91-22-18	Revoked	V. 19, p. 684
91-22-19	Amended	V. 19, p. 684
91-22-21	Revoked	V. 19, p. 684
91-22-22	Amended	V. 19, p. 684
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91-40-7 through 91-40-12	New	V. 19, p. 692-695
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91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-16 through 91-40-19	New	V. 19, p. 695-697
91-40-17	Amended	V. 20, p. 543
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91-40-21	New	V. 19, p. 697
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91-40-24 through 91-40-31	New	V. 19, p. 698-700
91-40-27	Amended	V. 20, p. 544
91-40-33 through 91-40-39	New	V. 19, p. 700-702
91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545

91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
91-40-41 through 91-40-48	New	V. 19, p. 702-704
91-40-50 through 91-40-53	New	V. 19, p. 705, 706
91-40-52	Amended	V. 20, p. 545
91-40-53	Amended	V. 20, p. 546
91-41-1 through 91-41-4	New (T)	V. 20, p. 137
91-41-1 through 91-41-4	New	V. 20, p. 546, 547

## AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-1-1 through 93-1-4	Revoked	V. 20, p. 452
93-4-6	Amended	V. 20, p. 452
93-6-1 through 93-6-4	Amended	V. 20, p. 452, 453

## AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-26-1	Amended	V. 19, p. 840
99-27-1	Amended	V. 19, p. 840

Reg. No.	Action	Register
100-6-2	Amended	V. 19, p. 241
100-7-1	Amended	V. 19, p. 1044
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-1	Amended	V. 19, p. 1190
100-22-3	New	V. 19, p. 571
100-28a-1 through 100-28a-16	New (T)	V. 20, p. 247-251
100-29-7	Amended	V. 19, p. 1547
100-49-4	Amended	V. 19, p. 1190
100-54-4	Amended	V. 19, p. 1547
100-55-1 through 100-55-9	Amended	V. 19, p. 1017-1020
100-55-4	Amended	V. 19, p. 1547
100-55-11	New	V. 19, p. 1020
100-60-1	Revoked (T)	V. 20, p. 251
100-60-2	Revoked (T)	V. 20, p. 251
100-60-4	Revoked (T)	V. 20, p. 251
100-60-5	Revoked (T)	V. 20, p. 251
100-60-6	Revoked (T)	V. 20, p. 251
100-60-8 through 100-60-15	Revoked (T)	V. 20, p. 251
100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572
100-69-5	Amended	V. 19, p. 1547

## AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-3	Revoked	V. 19, p. 1681
102-1-3a	New	V. 19, p. 1681
102-1-5	Revoked	V. 19, p. 1683
102-1-5a	New	V. 19, p. 1683
102-1-12	Amended	V. 19, p. 1684
102-1-15	Amended	V. 19, p. 1686
102-1-17	New	V. 19, p. 1687
102-1-18	New	V. 19, p. 1687
102-2-1a	Amended	V. 19, p. 1192
102-2-2a	Amended	V. 19, p. 1194
102-2-3	Amended	V. 19, p. 1194
102-2-4a	Amended	V. 19, p. 1195
102-2-5	Amended	V. 19, p. 1196
102-2-7	Amended	V. 19, p. 1196
102-2-8	Amended	V. 19, p. 1198
102-2-11	Amended	V. 19, p. 1200
102-2-12	Amended	V. 19, p. 1201
102-2-13	New	V. 19, p. 1202
102-2-14	New	V. 19, p. 1202



102-3-1a	Amended	V. 19, p. 1202
102-3-2	Amended	V. 19, p. 1204
102-3-5a	Amended	V. 19, p. 1205
102-3-7a	Amended	V. 19, p. 1206
102-3-14	New	V. 19, p. 1207
102-3-15	New	V. 19, p. 1207
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102-4-2	Amended	V. 19, p. 1209
102-4-4a	Amended	V. 19, p. 1209
102-4-5a	Amended	V. 19, p. 1211
102-4-7a	Amended	V. 19, p. 1211
102-4-14	New	V. 19, p. 1212
102-4-15	New	V. 19, p. 1213
102-5-1	Amended	V. 19, p. 1213
102-5-2	Amended	V. 19, p. 1214
102-5-4a	Amended	V. 19, p. 1215
102-5-5	Amended	V. 19, p. 1216
102-5-7a	Amended	V. 19, p. 1216
102-5-13	New	V. 19, p. 1218
102-5-14	New	V. 19, p. 1218

**AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION**

Reg. No.	Action	Register
108-1-1	Amended	V. 19, p. 2022
108-1-3	New	V. 19, p. 68

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-2-2	Amended	V. 19, p. 1949
109-5-1	Amended	V. 19, p. 1749
109-5-4	Amended	V. 19, p. 1750
109-6-2	Amended	V. 19, p. 1750
109-6-3	New	V. 19, p. 1751
109-7-1	Amended	V. 19, p. 1751

109-10-1	Amended	V. 19, p. 1751
109-11-6	Amended	V. 19, p. 1753
109-13-1	Amended	V. 19, p. 1754

**AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING**

Reg. No.	Action	Register
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178
110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-119		
through		
111-2-124	New	V. 20, p. 416-419
111-3-12	Amended	V. 20, p. 40
111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-4-1814		
through		
111-4-1823	New	V. 20, p. 419-427
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-7-123	Amended	V. 20, p. 48
111-7-134	Amended	V. 20, p. 429

111-7-152	Amended	V. 20, p. 49
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**AGENCY 112: KANSAS RACING AND GAMING COMMISSION**

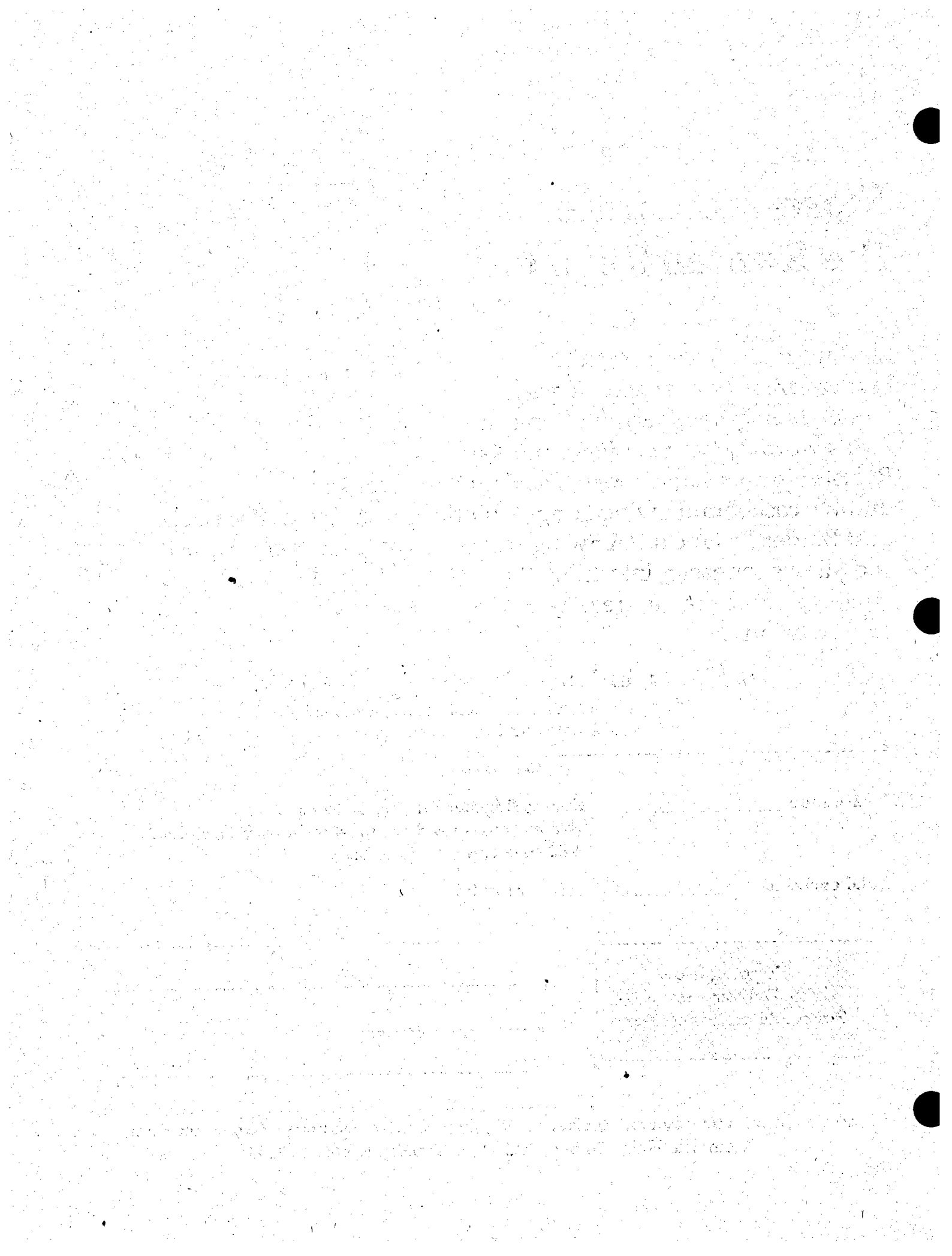
Reg. No.	Action	Register
112-4-1	Amended	V. 19, p. 1307
112-7-19	Amended	V. 20, p. 547
112-7-21	Amended	V. 19, p. 118
112-10-38	Amended	V. 19, p. 119
112-18-21	Amended	V. 19, p. 1308
112-18-22	Amended	V. 19, p. 119

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

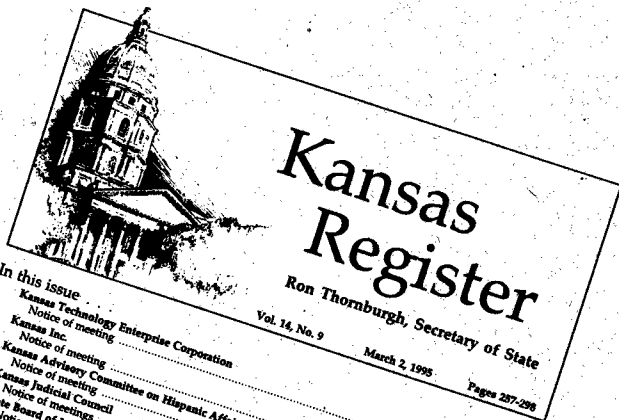
Reg. No.	Action	Register
115-2-2	Amended	V. 19, p. 1875
115-2-3	Amended	V. 19, p. 1875
115-4-1	Amended	V. 20, p. 180
115-4-3	Amended	V. 19, p. 1138
115-4-5	Amended	V. 19, p. 1139
115-4-6	Amended	V. 19, p. 1140
115-4-7	Amended	V. 19, p. 1142
115-7-1	Amended	V. 19, p. 1876
115-18-10	Amended	V. 19, p. 1474
115-18-13	Amended	V. 19, p. 1475
115-18-16	New	V. 19, p. 1475

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-6-3	Amended	V. 19, p. 472
117-7-1	Amended	V. 19, p. 41
117-8-1	Amended	V. 19, p. 473
117-9-1	Amended	V. 19, p. 41



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